

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1227

2001 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1227

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1227

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2/1/01

Tape Number	Side A	Side B	Meter #
2		X	735-5555
3		X	380-1300
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes:

REP. M. KLEIN called the hearing to order, with all members present.

In favor:

REP. FROSETH, DISTRICT 6

Please see attached testimony.

REP. KROEBER asks how many licensor boards have more consumer people on it than one?

FROSETH replies that he is not sure.

REP. M. KLEIN replies that over a period of time these boards have been added to by the consumer side.

REP. METCALF asks about line 9, the elimination of the word personal, does the word of personal mean constant people over their shoulders? REP. FROSETH replies that the definition of constant personal means that there must be a journeyman or a master electrician to supervise at all times. REP. METCALF states that does not mean constant supervision to him.

REP. FROSETH states to the committee that is why he would like to take that language out, since it is such a gray area.

REP. KLEMIN asks about all the boards in section six, is that not a licensing board?

REP. FROSETH replies that he is not sure.

REP. HAAS states to the committee that ESPB is a licensing board.

REP. CLEARY asks why wouldn't all the other boards that license be included in this list?

REP. FROSETH replies that he does not know. REP. CLEARY asks about page 2, line 8, rebuilt things that can be included. So we can get these things built without any supervision?

REP. FROSETH replies that section 430921, standards for wiring electrical equipment. Comply with the rules of the board.

REP. DEVLIN asks about adding members from the public, diverse group on it already. What is the need to have 2 out of 3 members as to having nothing to do with the industry?

REP. FROSETH replies that there has been a trend nation wide, our state is better represented to the public if there are people from the public sector that are on these boards. There may be some amendments out there. It may go to a 7 member board. REP. DEVLIN asks about a rough in inspection done by a licensed electrician or by a inspector from the state board? REP. FROSETH replies that all work has to be supervised by a master electrician. REP. DEVLIN asks what are the credentials of the third party? REP. FROSETH replies that they have master electricians.

REP. KROEBER asks about elimination's. Staggering dates to replace them. Certainly the Governor has the right to appoint as the openings occur.

REP. HUNSKOR asks if a journeyman can do the work ? REP. FROSETH replies yes.

REP. HUNSKOR has some concerns with the lowering of standards. REP. FROSETH does not believe that it would lower the standards.

Page 3

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1227

H Hearing Date 2/1/01

Oppose:

DONALD OFFERDAHL, EXECUTIVE DIRECTOR FOR THE ND STATE ELECTRICAL BOARD

Please see attached testimony.

REP. M. KLEIN asks if the board still has the authority to inspect the building? OFFERDAHL replies that yes they do. REP. M. KLEIN asks if a licensed electrician did not inspect a certain unit the power company would not hook it up for electricity? OFFERDAHL replies that is true. REP. CLEARY asks who inspects the modular units? OFFERDAHL replies that it is done by a licensed electrician, rough in inspection.

REP. M. KLEIN asks if they deal with mobile homes? OFFERDAHL replies that they don't.

Oppose:

GERALD ROALDSON, ND STATE ELECTRICAL BOARD

Please see attached testimony.

Oppose:

JERRY FREY, PRESIDENT OF THE BISMARCK-MANDAN ELECTRICAL CONTRACTOR'S ASSOC. / OWNER OF ELECTRIC SYSTEMS, INC. OF BISMARCK

Please see attached testimony.

Oppose:

RICHARD HAMMOND, NDAEIR

HAMMOND states to the committee that the REC's should be represented on the board. If an electrician is not being supervised he is being short changed.

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House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1227

Hearing Date 2/1/01

Oppose:

ROD MAYER, CONTRACTOR MINOT

MAYER states to the committee that this bill would eliminate the journeyman. There would be no supervision. Strongly opposes this bill. Bidding will go out of state. No supervision would turn into one big daycare. His son made it very clear to him exactly how it should work, as in if you do not have a license to drive you better not drive.

Oppose:

EUGENE MAYER, ND ELECTRICAL CONTRACTORS ASSOC. MASTER MEMBER ON
THE STATE ELECTRICAL BOARD

Please see attached testimony.

Oppose:

GREGORY DOCKTER, PRAIRIE ENGINEERING, P.C.

Please see attached testimony.

Oppose:

JOHN DWYER, LIGNITE ENERGY COUNCIL

DWYER talks to the committee about section 2 and section 6. Strongly urges the committee a do not pass on this bill.

Oppose:

COURTNEY KOEBELE, SPECIAL ASSISTANT TO THE ATTORNEY GENERAL FOR
THE ND STATE ELECTRICAL BOARD.

Please see attached testimony.

The hearing was then closed until later that day.

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House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1227

Hearing Date 2/1/01

REP. HAAS motioned to accept the amendments, seconded by REP. GRANDE. A voice vote was taken with the yes' carrying it. REP. HAAS motioned for a DO PASS AS AMENDED, seconded by REP. GRANDE. The roll call was taken with 4 YES, 11 NO. Motion FAILED. REP. CLEARY then motions for a DO NOT PASS AS AMENDED, seconded by REP. BELLEW. The roll call was then taken with 15 YES, 0 NO. The motion carries. The CARRIER of the bill is REP. CLEARY.

HB 1227

DO NOT PASS AS AMENDED : 15-0

CARRIER: REP. CLEARY

VR
2/2/01

HOUSE AMENDMENTS TO HB 1227 HOUSE GVA 2/2/01

Page 1, line 1, replace "subsection 1 of section 43-09-01, sections" with "section" and remove the second comma

Page 1, line 2, remove "43-09-13.1, 43-09-16, and 43-09-18, and subsection 1 of section 54-07-01.2"

Page 1, line 3, replace "professional licensure requirements for electricians and" with "the"

Page 1, remove lines 6 through 9

Page 1, line 13, overstrike "five" and insert immediately thereafter "six"

Page 1, line 14, overstrike "one term"

Page 1, line 15, overstrike "expires" and insert immediately thereafter "no more than two terms
expire"

Page 1, line 18, remove the overstrike over "~~and~~" and remove "or"

Page 1, remove lines 23 and 24

HOUSE AMENDMENTS TO HB 1227 HOUSE GVA 2/2/01
Page 2, remove lines 1 through 30

HOUSE AMENDMENTS TO HB 1227 HOUSE GVA 2/2/01
Page 3, remove lines 1 through 31

HOUSE AMENDMENTS TO HB 1227 HOUSE GVA 2/2/01
Page 4, remove lines 1 through 10

Renumber accordingly

Date: 2-1-01

Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1227

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken

Accept Amendments

Motion Made By

Haas

Seconded

By

Grande

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN			REP KROEBER		
VICE CHAIR GRANDE					
REP BELLEW					
REP BRUSEGAARD					
REP CLARK					
REP DEVLIN					
REP HAAS					
REP KASPER					
REP KLEMIN					
REP MEIER					
REP WIKENHEISER					
REP CLEARY					
REP HUNSKOR					
REP METCALF					

*voice vote
aye's carry it*

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Date: 2-1-01

Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1227

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By

Haas

Seconded

By

Grande

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP KROEBER		✓
VICE CHAIR GRANDE	✓				
REP BELLEW		✓			
REP BRUSEGAARD		✓			
REP CLARK		✓			
REP DEVLIN		✓			
REP HAAS	✓				
REP KASPER		✓			
REP KLEMIN		✓			
REP MEIER	✓				
REP WIKENHEISER		✓			
REP CLEARY		✓			
REP HUNSKOR		✓			
REP METCALF		✓			

Total (Yes) 4 No 11

Absent _____

Floor Assignment _____

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

Date: 2-1-01

Roll Call Vote #: 3

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1227

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass As Amended

Motion Made By Cleary Seconded By Bellew

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP KROEBER	✓	
VICE CHAIR GRANDE	✓				
REP BELLEW	✓				
REP BRUSEGAARD	✓				
REP CLARK	✓				
REP DEVLIN	✓				
REP HAAS	✓				
REP KASPER	✓				
REP KLEMIN	✓				
REP MEIER	✓				
REP WIKENHEISER	✓				
REP CLEARY	✓				
REP HUNSKOR	✓				
REP METCALF	✓				

Total (Yes) 15 No 0

Absent _____

Floor Assignment Rep. Cleary

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

REPORT OF STANDING COMMITTEE

HB 1227: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1227 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection 1 of section 43-09-01, sections" with "section" and remove the second comma

Page 1, line 2, remove "43-09-13.1, 43-09-16, and 43-09-18, and subsection 1 of section 54-07-01.2"

Page 1, line 3, replace "professional licensure requirements for electricians and" with "the"

Page 1, remove lines 6 through 9

Page 1, line 13, overstrike "five" and insert immediately thereafter "six"

Page 1, line 14, overstrike "one term"

Page 1, line 15, overstrike "expires" and insert immediately thereafter "no more than two terms expire"

Page 1, line 18, remove the overstrike over "~~and~~" and remove "or"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 10

Renumber accordingly

2001 TESTIMONY

HB 1227

Testimony HB 1227
By Representative Glen Froseth, District 6

Chairman Klein and members of the House GVA committee. For the record my name is Representative Glen Froseth from Kenmare, representing District 6.

I appear before you today to present HB 1227 and urge your favorable consideration.

HB 1227 makes several changes and updates to sections NDCC 43-09 relating to licensing requirements and board membership to the State Electrical Board. Some of these changes and updates are technical changes in language and procedures to basically modernize, and other changes are designed to make the Board more "Consumer Oriented".

Bear with me as I highlight the changes:

Section 1: Merely changes the term "person" to "individual" to make it more gender friendly. It also removes the word "personal" from the type of supervision a licensed electrician is to give an apprentice, who may be learning the trade "on the job" and gaining his experience ratings to advance in the ranks of a titled electrician. The reason for this change is that it is doubtful many licensed electricians give an apprentice constant "personal" supervision while they are on the job. They undoubtedly supervise their work, and inspect the final product, but the reference to "personal" supervision is an outdated procedure.

Section 2: Changes the makeup of the State Electrical Board. The purpose of this proposed change is to make the Board more consumer oriented. Presently the Board consists of only one member who represents the public, while four are industry representatives. The change will allow two members to represent the public and three to be associated with the electrical industry. Other changes in this section are only to clarify language.

Section 3: Again removes the word "personal" from the type of supervision offered an apprentice by a licensed electrician.

Section 4: Adds a sub-section (No. 5) to 43-09-16, when electrical work is done by a person not requiring an electrician's license so long as the work is done in compliance with the standards set forth by 43-09-21, which is the standards for electrical wiring and equipment.

Section 5: The new language adds employees or contractors of a manufacturing facility that manufactures buildings or modular units as the facility's primary product and complies with electrical standards under Section 43-09-21.

Section 6: This Amendment adds the State Electrical Board to the list of Boards whose members are required to resign from such boards effective January 1st of the first year of each four-year term of the Governor, thereby allowing a NEW Governor to appoint members to the Electrical Board.

These are the proposed changes in HB 1227 and I encourage the Committee to give this proposal a "Do Pass" recommendation.

Thank You.

of state electrical board — Blennial seal and may adopt reasonable rules and submit a blennial report to the board in accordance with section 54-08-04. The board shall inspect, within any electrical wiring installation or more in municipalities having the electrical installation and approve shall make a report of the inspection on

Effective Date.

The 1995 amendment of this section by section 30 of chapter 350, S.L. 1995 became effective August 1, 1995.

ibited — Exceptions — Penalty.

section, where an electrical license is required or by local ordinance, no person may perform electrical services without being licensed as a class B or master electrician unless that person is electrical services with a licensed

person is guilty of a class B misdemeanor and a fine in excess of one hundred dollars may be imposed.

person is guilty of a class A misdemeanor and a conviction, but the penalties are as

1. no fine in excess of one thousand dollars and imprisonment may be imposed.

2. In addition, a fine not to exceed one hundred dollars and imprisonment not to exceed thirty days,

section 1 of chapter 400, S.L. 1995 became effective August 1, 1995.

and class B electrician — Under-

a contract agreement or undertaking for electrical wiring or installation of a master electrician or a class B electrician with the board an undertaking in the amount of four thousand dollars on the faithful performance of all electrician, on strict compliance with the requirements of the board. In addition, a fine in the amount of fifty dollars by a class B electrician, and forty dollars by a class B electrician, made must be accumulated by the

board in a special fund to be used for the completion of installations abandoned by electricians referred to in this section, not to exceed the amount of five thousand dollars for a master electrician and four thousand dollars for a class B electrician. The board shall waive the deposit for a renewal of license by electricians who have made an initial deposit under this section if at the beginning of the renewal year the fund exceeds fifty thousand dollars. Funds in excess of fifty thousand dollars at the end of each year may be committed and used at the direction of the board to inform and educate electricians concerning the requirements of the electrical code. The board may prescribe forms for the undertaking and make rules it deems necessary to carry out the intent of this section.

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, § 43-0914; S.L. 1949, ch. 287, § 7; 1955, ch. 282, § 7; 1957 Supp., § 43-0914; S.L. 1979, ch. 461, § 1; 1983, ch. 476, § 2; 1987, ch. 513, § 3; 1999, ch. 374, § 1.

Effective Date.

The 1999 amendment of this section by section 1 of chapter 374, S.L. 1999 became effective August 1, 1999.

43-09-16. When license not required. The following persons may not be required to hold an electrician's license:

1. Employees of public utilities engaged in the manufacture and distribution of electrical energy when engaged in work directly pertaining to the manufacture and distribution of electrical energy. This exemption terminates at the first point of service attachment, except for the installing or testing of electric meters and measuring devices and the maintenance of their service.
2. Employees of a company that operates or installs telephone and radio communication systems when engaged in work pertaining directly to the installation of telephone and radio communication conductors on premises where the installations are made for use exclusively for the transmission of telephone and radio signals.
3. Employees of dealers in household appliances, such as room air conditioners, clothes dryers, dishwashers, freezers, garbage disposals, refrigerators, stoves, washing machines, water heaters, and similar appliances when such employees are installing and connecting such appliances to an existing electrical receptacle.
4. A representative of a manufacturing firm that is installing or modifying controls of wiring solely on industrial machinery that is for use by the firm itself, and performed by or under the direction of a registered professional engineer who issues a state-accepted evaluation which is to be maintained with the equipment.

Source: S.L. 1917, ch. 118, § 2; 1919, ch. 123, § 2; 1925 Supp., § 578b2; S.L. 1927, ch. 139, § 1; 1941, ch. 227, § 2; R.C. 1943, § 43-0916; S.L. 1975, ch. 399, § 1; 1999, ch. 375, § 1.

section 1 of chapter 375, S.L. 1999 became effective April 9, 1999, pursuant to an emergency clause in section 2 of chapter 375, S.L. 1999.

Effective Date.

The 1999 amendment of this section by

43-09-21. Standards for electrical wiring and equipment. All electrical wiring, apparatus, or equipment must comply with the rules of the board made under authority of the laws of this state and in conformity with

the approved methods of construction for safety to life and property. The regulations in the national electrical code and the national electrical safety code as approved by the American national standards institute are prima facie evidence of these approved methods. Any municipality may make more stringent requirements. An electrical installation may not be connected for use until proof has been furnished to the person, firm, corporation, or limited liability company supplying electrical energy that there is compliance with the applicable regulations. The manufacturer of a new manufactured building or modular unit shall make any changes required for the proof within fourteen days from the notice that the building or unit does not comply with the applicable regulations. This section does not apply to the movement of a new manufactured building or modular unit into or within this state before the process of being connected for use.

Source: S.L. 1917, ch. 118, §§ 6, 8; 1919, ch. 123, § 6; 1925 Supp., § 578b6; S.L. 1941, ch. 227, § 6; R.C. 1943, § 43-0921; S.L. 1985, ch. 476, § 1; S.L. 1993, ch. 64, § 106; 1999, ch. 351, § 2.

Effective Date.

The 1999 amendment of this section by section 2 of chapter 351, S.L. 1999 became effective August 1, 1999.

43-09-22. Inspection of installation — Condemnation. The board has jurisdiction over and shall provide inspection for all electrical installations. Inspectors authorized by the board may condemn installations hazardous to life and property or may order specific corrections to be made. Inspectors may order service thereto discontinued after notice to the owner of the property. The order is subject to the owner's right of appeal to the board. No condemned installation may be reconnected for service until proof has been furnished that the installation has been brought up to the required standards. The board may charge the master electrician responsible for the installation a fee to cover the cost of inspection. Cities may make provisions for inspection of all electrical work done within their corporate limits. City inspectors shall register their names with the board within ten days after their appointment.

Source: S.L. 1917, ch. 118, §§ 6, 8; 1919, ch. 123, § 6; 1925 Supp., § 578b6; S.L. 1941, ch. 227, § 6; R.C. 1943, § 43-0922; S.L. 1997, ch. 366, § 1.

Effective Date.

The 1997 amendment of this section by section 1 of chapter 366, S.L. 1997 became effective August 1, 1997.

43-09-23. Criminal penalty — Civil proceedings. Any person who violates any of the provisions of this chapter is guilty of a class B misdemeanor. In addition to criminal proceedings, the board may commence administrative or civil court proceedings as follows:

1. The board may issue a cease and desist order against a person allegedly making or offering to make electrical installations in violation of section 43-09-09 or 43-09-09.2 based upon information provided to the board by its electrical inspectors or other persons, by investigation reports, affidavits, complaints of witnesses, or oral testimony given to the board at a regular or special board meeting. Violation of the cease and desist order may be considered by the court in issuing a temporary or permanent restraining order and in ordering the payment of costs and attorney's fees in proceedings authorized under this section.
2. The board may apply to the district court in the county in which the violations have occurred for a temporary or permanent injunction under chapter 32-06, enjoining persons from performing, advertis-

HB1227

Chairman Klein and other members of Government and Veterans Affairs Committee

My name is Donald Offerdahl. I am the Executive Director for the North Dakota State Electrical Board.

The board is opposed to HB 1227

My role is to provide information to the Committee on how these proposals would affect the North Dakota State Electrical Board.

The purpose of the board is the practical safeguarding of persons and buildings and building contents from the hazards that arise from the use of electricity.

There are four areas of concern, the first being changing the requirements for Apprentice Electricians to not have personal supervision. This would affect the safety of the citizens of North Dakota in addition to providing the necessary supervision to assure the proper installation of electrical wiring and devices. You could have apprentices working alone on 480 volt circuits or higher with no knowledge of how hazardous it is. From our continuing education cards from the past few weeks, we have asked attendees to comment on removing "personal" that is proposed in this bill. Over 90% felt that personal supervision is needed. For you see the more knowledgeable person who is teaching you the trade, the better you will be when you are a Journeyman electrician.

This would also affect the enforcement of Apprenticeship ratio, which could result in all the apprentices working on one job and all Journeyman on others. We would have some control for contractors that reside in North Dakota, but for those contractors that reside out-of-state, it would be virtually impossible to regulate.

The exemption that is proposed on page 2 would exempt any construction company presently doing business in North Dakota, whose primary product is to build or manufacture buildings, not to have licensed electricians doing the work.

We have experienced companies that build and wire modular homes in North Dakota. These buildings were not wired by an electrician and were done under a third party inspection system. Once we became aware of the work an inspection was made with the code violations listed on the enclosed Electrical Inspection Report. These violations took numerous months to correct. Since we have adopted rules requiring the manufacturer to have the building wired under the supervision of a licensed electrician, we have not experienced the severity of code violations.

Changing the makeup of North Dakota State Electrical Board that adds another person not directly associated with the electrical industry would remove a member that has technical knowledge that is needed to develop rules and policies of the board.

The makeup of the board was established for a particular reason. It brings a wide variety of interest from the electrical industry that is needed to meet the technical changes that directly affects the electrical industry. The North Dakota State Electrical Board is a very active board. Their expertise and qualifications have been reviewed by the Governor before their appointment. Adding the Electrical Board to the list of boards that must resign at the beginning of a new Governors term would result in lack of continuity between boards which the electrical contractors, engineers and power companies rely on in their day-to-day business.

I would like to thank the committee for the opportunity to present you with these views.

I will try to answer any questions at this time.



ELECTRICAL INSPECTION REPORT
NORTH DAKOTA STATE ELECTRICAL BOARD
SFN 11856 (10-95)

PAGE 1 OF 2

NORTH DAKOTA STATE ELECTRICAL BOARD
P.O. BOX 857
BISMARCK, ND 58502

Inspection of the following electrical installation was made and certain items were noted. The items listed are code violations and although not necessarily a hazard, corrections are required if so noted.

Date MAY 16, 2000		Certificate Number UNIT 2 124864			
Name COMMERCIAL GROUP WEST		Address 1222 N CENTRAL AVE			
City KENMARE	County WARD	Twp.	Range	Sec.	Quarter
Name of company supplying current		Address			
Name of electrical contractor		Address			Lic. No.
<input type="checkbox"/> APPROVED <input checked="" type="checkbox"/> APPROVED SUBJECT TO CORRECTION <input type="checkbox"/> REJECTED		Type of building inspected HOUSE			Wiring was all new? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

CODE VIOLATION OR REMARKS	CORRECTION REQUIRED
1) TERMINALS WITH MORE THAN ONE CONDUCTOR ARE REQUIRED TO BE IDENTIFIED FOR THE PURPOSE OR TERMINATED WITH A SINGLE CONDUCTOR AS REQUIRED IN 110-14(A) 1999 NEC	YES
2) EQUIPMENT GROUNDING CONDUCTORS SHALL BE ELECTRICALLY AND MECHANICALLY SECURE AS REQUIRED IN ARTICLE 110-14(B) 199 NEC	YES
3) PROVIDE DISCONNECTING MEANS WITH ^{IN} SIGHT OF BASEBOARD HEATERS OR LOCKABLE DEVICE IN PANEL BOARD AS REQUIRED IN 421-19(B)(1) 1999 NEC	YES
4) PROVIDE DISCONNECTING WITHIN SIGHT OR LOCKABLE DEVICE AT PANEL FOR WATER HEATER AS REQUIRED BY 422-31 1999 NEC	YES
5) PROVIDE PROPER OVERCURRENT PROTECTION ON 4500 WATT WATER HEATER AS REQUIRED IN 422-13 1999 NEC	YES

NOTE: This installation will be considered approved by the State Electrical Board if the required corrections are made and a signed copy of this report is returned to the Electrical Board office within 30 days.

I certify the above required corrections have been made.

Name of Inspector RON IHMELS	Signature of Licensed Electrician	Date
---------------------------------	-----------------------------------	------

The North Dakota State Electrical Board will provide this form in an alternate format upon request.

DISTRIBUTION

White Copy - To State Electrical Board Pink Copy - To Inspector Green Copy - Contractor's Personal Record Yellow Copy - To State Electrical Board After Corrections Have Been Made



ELECTRICAL INSPECTION REPORT
NORTH DAKOTA STATE ELECTRICAL BOARD
SFN 11856 (10-95)

PAGE 2 OF 2

NORTH DAKOTA STATE ELECTRICAL BOARD
P.O. BOX 857
BISMARCK, ND 58502

Inspection of the following electrical installation was made and certain items were noted. The items listed are code violations and although not necessarily a hazard, corrections are required if so noted.

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Name of company supplying current		Address			
Name of electrical contractor		Address			Lic. No.
<input type="checkbox"/> APPROVED <input checked="" type="checkbox"/> APPROVED SUBJECT TO CORRECTION <input type="checkbox"/> REJECTED		Type of building inspected HOUSE			Wiring was all new? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

CODE VIOLATION OR REMARKS	CORRECTION REQUIRED
6) RANGE CABLE IS REQUIRED TO HAVE PROPER BOX WITH SHEATHED CABLE ENTERING THE CABLE CLAMP BY AT LEAST 1/4" AS REQUIRED IN 370-17 1999 NEC	YES
7) SERVICES RATED 200 AMPS OR LARGER SHALL BE INSTALLED WITH A MINIMUM OF 40 BRANCH CIRCUIT SPACES AS REQUIRED IN 24-02-01-08 (4)(B)	YES
8) CORRECTIONS ARE REQUIRED TO BE DONE BY A ND LICENSED ELECTRICAL CONTRACTOR	YES
9) LIVING ROOM 2 BEDROOM HALF OF UNITS WERE INCONVENIENT TO INSPECT AT TIME OF INSPECTION AND WERE NOT INSPECTED.	
10) ARE ALL SPLICES IN J-BOXES AND ARE READILY ACCESSIBLE?	
11) CORRECTIONS ARE REQUIRED TO BE COMPLETED BY A ND LICENSED ELEC CONTRACTOR	YES

NOTE: This installation will be considered approved by the State Electrical Board if the required corrections are made and a signed copy of this report is returned to the Electrical Board office within 30 days.

I certify the above required corrections have been made.

Name of Inspector RON IHMELS	Signature of Licensed Electrician	Date
---------------------------------	-----------------------------------	------

The North Dakota State Electrical Board will provide this form in an alternate format upon request.
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White Copy - To State Electrical Board Pink Copy - To Inspector Green Copy - Contractor's Personal Record Yellow Copy - To State Electrical Board After Corrections Have Been Made

43-09-21. Standards for Electrical Wiring and Equipment. - All electrical wiring, apparatus, or equipment must comply with the rules and regulations of the board made under authority of the laws of this state and in conformity with the approved methods of construction for safety to life and property. The regulations in the national electrical code and the national electrical code as approved by the American engineering standards committee are prima facie evidence of these approved methods. Any municipality may make more stringent requirements. An electrical installation may not be connected for use until proof has been furnished to the person, firm or corporation supplying electrical energy that there is compliance with the applicable regulations. The manufacturer of a new manufactured building or modular unit shall make any changes required for the proof within fourteen days from the notice that the building or unit does not comply with the applicable regulations. This section does not apply to the movement of a new manufactured building or modular unit into or within this state before the process of being connected for use.

HB 1227

Chairman Klein and other members of the Government and Veterans Affairs Committee.

My name is Gerald Roaldson, I am a member of the North Dakota State Electrical Board. I was appointed by past Governor Ed Schafer in 1996 to represent Investor Owned Utilities.

I am employed by Ottertail Power Company and have been for the past 32 years. The past 25 years I have spent working in the service area as a representative, giving me a working relationship with area electrical contractors.

I would like to address my concerns with you on several parts of House Bill 1227.

Beginning with Section 1, Line 9, Where personal has been lined out.

I can assure you, the members of this committee, that personal supervision has a significant importance. An apprentice learning the trade under the personal supervision of a licensed electrician, his or her progress can be monitored and evaluated on the job and as the job progresses, errors can be corrected before they become habit.

From a regulatory perspective, it becomes a manageable task to monitor Journeyman to apprentice ratios when the personal supervision must according to the present statute be on the job when apprentices are.

From the consumer perspective, they can expect nothing less than a job done safely and according to state and federal standards.

Section 2, 43-09-02

Beginning on line 12, State Electrical Board Members, Terms of office and Vacancies.

I believe former Governor Ed Schafer appointed members to the State Electrical Board that could best represent the electrical industry. I also believe that every aspect of the industry is represented as well as the public, this is evident in the structure of the board to date. I believe that the legislators of the past gave this issue a great deal of thought in that they did include all interested in the industry a voice.

Should one or more of these bodies be eliminated it could only lead to unfair representation and in my judgement not in the best interest of the citizens of the state of North Dakota.

The goal of this electrical board is clear. We intend to represent the people we serve, that being everyone in this state. Not just some special interest group looking for a favor or a loop hole, I can assure this committee that there are steady pressure to do that. We believe that the laws that we follow are clear and in the best interest of the public. Safety is our major concern and should not be compromised for any reason. As all of us know, electricity has become one of the most necessary products of our society and most of us also know that it can hurt us if we don't respect it and it's dangers.

Section 3, 43-09-13.1 Apprentice Electrician Registration. Line 4.

Again personal supervision is of vital importance as addressed in Section 2, 43-09-02.

Section 4, 43-09-16 When License Not Required, Line 28 #5

Employees or contractors of a manufacturing facility that has manufactured buildings or modular units as the facility's primary product if the facility complies with the standards for electrical wiring and equipment under Section 43-09-21.

Currently there are hundreds of licensed electricians in the state of North Dakota and apprentices working towards obtaining that license, a license that has taken them 4 years to obtain including many hours of study, we are now sending them the message that they don't have to have a license or all of the training to wire a modular home. I'm not sure they will understand this.

I believe that if we allow this bill to become law, we will be compromising safety for special interest.

Last, but not least, Section 6 Subsection 1 of Subsection 54-07-01.2 Line 12.

The following boards and commissions subject to the limitations of this section must be considered to have resigned from such boards and commissions effective January first of the first year of each four year term of the governor.

If I had to make a comparison to something similar to this, I would compare this to term limits for legislators and I believe that the majority of the citizens do not agree with term limits. I would also compare the freshman legislator to the senior legislator, although the freshman has plenty of energy and desire, he still has much to learn whereas the senior has been through most of the initiation process.

We as board members are very similar, by the time we learn some of the very basic procedures, we are into our second and third years.

I believe that we would seriously erode the continuity of the boards and the problem solving abilities that these boards are faced with if we allow this bill to become law.

For these reasons, I would ask that you defeat this bill.

Thank you for your time and consideration.

HOUSE BILL 1227:

Good Morning:

Chairman Klein, Vice Chairman Grande, Representative Haas, Clark and Kasper.

My name is Jerry Frey. I'm here on behalf as President of the Bismarck-Mandan Electrical Contractor's Association and as the owner of Electric Systems, Inc. of Bismarck. I would like to voice my opposition to this bill.

Starting with SECTION 1, with deleting the word personal, without personal supervision from a Journeyman or Master Electrician, quality of workmanship which is a highly emphasized action in our industry, will definitely depreciate. Which means a non-trained individual could complete electrical tasks without consulting qualified electricians for a day, a week or a month.

I guess I would not want the safety of my property or family, entrusted to non-qualified personnel.

SECTION 2: Change the make up of the ND State Electrical Board, by deleting a member of the electrical industry, to select a member of the general public would be detrimental to the electrical industry in ND. The governor may find two persons qualified, but highly unlikely. Whereas two members of a cooperative or utility are well educated, informed of the safety measures and well versed in the National Electrical and Fire Codes to create proper policies for the electrical industry.

SECTION 3: Again, as in section one, I oppose apprentices working without proper supervision on the job.

SECTION 4 - ITEM 5: Employees of a manufactured building or modular units would also be allowed to complete wiring either in a commercial or residential application.

Safety is the number one concern of licensed electricians. To follow safety measures properly, an individual needs to be aware of problems and solutions of any electrical application. An individual that does not understand electrical theory or proper technique cannot complete a quality project with proper workmanship.

Having a "jack-of-all trades" individual create an electrical network in a structure would not only be substandard, but could be a hazard to the end consumer.

Safety is again the backbone to our industry, let's not jeopardize the security of family and friends.

SECTION 6 -- SUBSECTION 1: All members of the State Electrical Board must resign each four-year term of the governor.

This section would leave an entire new board, with no past experience for board policies or direction for the State Electrical Office.

There should be a continuous rotation of members, with every board member serving a three-year term. I feel with the entire board being replaced every four years, a void period of policy making would be evident and new ideas for improvement would be limited.

School cuts worry Minot parents

MINOT (AP) — Parents here are worried about the impact of school budget cuts.

Officials say the Minot Public School District must cut \$1.7 million from next year's budget, which could mean dismissing as many as 36 teachers, 10 secretaries, custodians and teachers aides, and closing an elementary school.

Superintendent Richard Larson also suggested an increase in class sizes. He suggested the district try for a target of 21 students in kindergarten through third grade and 26 students in grades four through six.

Randy Knutson said he would leave if his son's elementary class has more than 20 students in it next year.

"I don't think they've got enough teachers right now," Knutson said.

"Some of these special ed kids aren't getting the full attention they need."

Knutson said his son, a fourth-grader, needs a lot of one-on-one attention to help him learn.

Fargo looks at soybean-based fuel

FARGO (AP) — This city is putting its garbage trucks on a vegetarian diet.

Fargo officials are exploring the use of a fuel made mainly from soybean oil.

Backers of the project say it means less pollution. Casual observers also say the exhaust smells like french fries.

"The (garbage workers) are going to be hungry all the time," joked Tim Radermacher, who has worked on the project as a member of the North Dakota Soybean Council.

Radermacher said several cities have experimented with biodiesel fuel — including Minneapolis and Sioux Falls, S.D. — and the fuel has received favorable reviews. Although biodiesel costs about a penny more per gallon than petroleum diesel, its benefits are long-term, supporters say.

Electrical wiring blamed in fire

JAMESTOWN (AP) — Fire officials say electrical wiring was the apparent cause of a fire that damaged the Arc-Ald Thrift Shoppe here last Tuesday.

"Some makeshift electrical wiring is suspected of overheating and igniting some nearby combustibles," said Jamestown Fire Chief Bert Gray.

Dick Gelge, the owner of the building that housed the thrift store, said the wiring in question was track lighting that had been mounted on a wall in the front of the building to illuminate displays.

Arc-Ald Thrift Shoppe manager Darrell Schelske has inspected the building and begun the cleanup.

Chairman Klein and other members of the Government and Veterans Affairs Committee.

My Name is Eugene Cross. I am representing the ND Electrical Contractors Association. I am also the Master member on the State Electrical Board.

The concerns that the ND Electrical Contractors Association has with the proposed changes include:

1 43-09-02

In changing the makeup of the board by adding another consumer at large and removing an existing member of a investor owned utility or rural electric coop. The contractors and electrical engineers work with the different power suppliers all the time. The contractors need to keep this member on the North Dakota State Electrical Board.

2 43-09-13.1 and 43-09-18

The language that is being proposed regarding supervision of apprentices, needs to stay as is. The apprentices that work for us are learning a trade. The safety and training they receive is ongoing during their four years of apprenticeship is needed so they can properly prepare for their journeyman test. There are many different types of electrical work being done in ND, from installing wiring for an apartment house to installation of equipment for grain elevators, each requires a different type of construction as well as code requirements. The contractors are responsible for all work that is being done. If something happens on the job without supervision, that contractor is also liable.

We have reciprocal licensing agreements with 11 states that have similar rules to that of ND. If we change the requirements of direct supervision, we may lose reciprocity with those other states.

3 43-09-16

In allowing unqualified persons of manufactured housing to install electrical, there would not be any qualification requirements for these installers, this becomes a safety issue. We as contractors need to have our work inspected to assure it meets the standards of the National and State Electrical codes. Who is going to be responsible for this modular housing electrical work when it leaves the plant? The State of North Dakota has very excellent and qualified electrical contractors, journeyman electricians and qualified electrical state and local inspectors. What is the cost of doing the work the right way and the safe way?

4 Section 6 Amendment.

The members of the board are currently appointed to a 5- year term. The terms are staggered so the current Governor will appoint a new member to the board every year. To have 5 new members appointed every four years would eliminate the experience and consistency the board now utilizes in its practices and decisions that it makes to ensure the safety to persons and property of the state of North Dakota.

In closing, the North Dakota State Electrical Board was created on March 3, 1917. This board is committed to the electrical industry, for the electricians and the people of North Dakota with safety always a priority. I have received comments from various members of the ND Contractors Association and they feel there is nothing wrong with how the North Dakota State Electrical Board is structured nor the state standards that it enforces. Their opinion is, "if it's not broke, why fix it."

For these reasons, I would ask that you defeat this bill.

Thank you for your time and consideration.

□ 720 WESTERN AVENUE
MINOT, ND 58701
(701) 852-6363
(701) 839-7085

PRAIRIE ENGINEERING, P.C.

□ 909 BASIN AVENUE
BISMARCK, ND 58504
PH: (701) 258-3493
FAX: (701) 258-6857

February 1, 2001

Chairman Matthew M. Klein and Committee Members
House Government and Veterans Affairs Committee
North Dakota House of Representatives
Bismarck, North Dakota 58505

RE: House Bill 1227

Dear Chairman Klein and Committee Members:

This correspondence will serve to summarize my testimony this date.

The foremost goal in the electrical industry is succinctly stated in the Introduction of the National Electrical Code: ".....the practical safeguarding of persons and property from hazards arising from the use of electricity."

Similar to state and federal governments' judicial, executive, and legislative branches, the electrical industry has a system of checks and balances in place too: Design, installation, and inspection, all striving to promote the safe use of electricity.

House Bill 1227 strongly undercuts the mission of one of these entities: North Dakota State Electrical Board's inspections.

In this day and age of technology, a board charged with "the practical safeguarding of persons and property....." needs to maintain a "cutting-edge" philosophy, striking a balance between new technology, proven methods, and (above all) electrical safety.

No purpose is served by further diluting the technological base of the State Electrical Board, by adding another consumer member at the expense of the power-generation industry. This is not in the best interest of the North Dakota population. Instead of adding another consumer member, perhaps the Legislature should consider adding a seat for a Professional Engineer, the same as the State Plumbing Board with their seated Professional Engineer member.

Also, no purpose is served by further diluting of the continuity of the State Electrical Board through mass resignation every four years. This, too, is not in the best interest of the North Dakota population.

Chairman Matthew A. Klein and Committee Members

February 1, 2001

Page 2

For 27 years I have had contact with the State Electrical Board, in capacities as varied as apprentice, journeyman, and master electrician licensee, apprenticeship training instructor, contractor employee, and (for the last 22 years) a professional design engineer and owner.

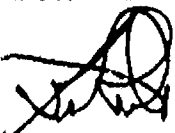
My observation, based on these varied experiences, indicates the Board and its employees are dedicated to the best interests of the people they serve: the North Dakota population.

I urge you to consider all aspects and ramifications of this bill, and issue a DO NOT PASS recommendation.

I am available at your convenience by phone, fax, or e-mail, to answer any questions.

Sincerely,

Prairie Engineering, P.C.



Gregory R. Dockter, P.E.
North Dakota Professional Engineer #PE2315
North Dakota Master Electrician #1160
e-mail pegreg@btigate.com

GRD/gd

Government and Veterans Affairs Committee

Honorable Matt Klein - Chairman
Bette Grande -Vice Chairman
C.B.Haas Larry Klein
Byron Clark Tom Brusegaard
Jim Kasper Lonny Winrich
Bill Devlin Ralph Metcalf
Larry Bellew Audrey Cleary
Ray Wikenhelser Bob Hunsaker
Lisa Meler

As a past board member of the NDSEB (North Dakota State Electrical Board) I am using this communications medium to register my opposition to HB 1227. I am opposed to the proposed removal of the word PERSONAL in sections 43-09-01, 43-09-13-1 and 43-09-18.

Presently the state of North Dakota has a requirement that a licensed electrical contractor working within our state provide a ratio of apprentices to journeymen electricians on job sites at all times. This requirement provides residents of North Dakota a wiring installation that meets state and national electric codes.

An advantage appears to be given to out of state contractors working in North Dakota. As it is not stated where the licensed contractor need be working, a contractor could be working in another state and have only apprentices on a North Dakota job site and yet be in compliance.

Enforcement of this proposal is very difficult if not impossible.

We are to be concerned for the safety of those we serve that being the residents of North Dakota.

As a retired Northern States Power employee and past board member of the NDSEB I am opposed to changes as identified as Section 2 Amendment Section 43-09-02 and Section 6 Amendment, Subsection 1 of section 54-07-01.2 in HB1227

The success of this well run board has been two things, its members and what each of them brought to the bimonthly meetings from the groups they represented and their terms of office which allowed for continuity of policy administration.

Suggesting that either the rural electric cooperative or investor owner utility have only one representative on the board indicates a segment of the industry is to be left out of the decision making process. Taking away one of those voices that electricians use on a daily basis is not advantageous to the electrical industry.

The proposal to change the terms of office does nothing for the state of North Dakota but provide for an ineffective board spending a great deal of time trying to become familiar with the many activities of the NDSEB. I would request you to leave term of office as it now exists.

I also oppose Section 43-09-16 proposed paragraph 5 relating to manufactured buildings or modular buildings.

The proposal of NOT requiring a licensed electrician for the wiring of modular units; that being apartment, motels, single family dwellings or manufactured buildings including steel storage structures allows these contractors the opportunity for anyone in their employment to make electrical installations and so doing without electrical supervision. Is this the message that anyone can wire these buildings?

Electrical safety should not be taken for granted. Allowing a proposal to pass creates problems for not only the NDSEB but for the residents of our state who own these structures. Where do they go for problem resolution?

I Thank you and the Government and Veterans Affairs Committee for the opportunity to express my views on HB1227.

Sincerely,
John Knudson
3720 Cherry Street A-3
Grand Forks ND 58201
701-772-5039
knudx2@aol.com

HOLMES ELECTRIC CO.

2626 Valley Street • P.O. Box 1367 • Minot, North Dakota 58702
Fax Number (701) 852-0925
Telephone (701) 852-4445

HOUSE BILL NO. 1227

I'm requesting a DO NOT pass action on this legislation for the following reasons

Item No. 1 - Striking the word "personal" on line 9 and the words "only" and "personal" in 43-09-13.1 would be a step backward for the electrical industry.

For the last ten years the building industry has been aware of a pending shortage of qualified craftsmen. The way to achieve the required training is with a combination of classroom and on-the-job training.

If an individual is not personally directed as to the proper installation methods of an electrical system, an injustice is being done to both the apprentice and to the future of the industry.

Is this the message the North Dakota State Legislature wants to send, that we are willing to sacrifice our reputation as having a good qualified workforce in order to flood the industry with untrained personnel?

Item No. 2 - 43-09-16.5

At present the only exception to license requirements would be for public utilities, telephone companies and cord-connected appliances and manufacturing equipment. In these exceptions all electrical installations are on equipment under sole control of the installer.

The new exception would allow buildings to be wired by non-licensed, unsupervised electricians. This would put the general public at risk, both upon entering or owning these facilities. The practical safeguarding of persons and property should not be taken lightly.

Item No. 3 - Section 6 Amendment

By calling for the resignation of all board members at the end of a Governor's term, it would put the State of North Dakota in a precarious position. The board needs continuity. If all members are changed every four years, the board would have to rely too much on the executive director. This would take control of the Electrical Board away from the Governor's office and place it in the hands of an individual.

HOLMES ELECTRIC CO.


William A. Brunner, V.Pres

EQUAL OPPORTUNITY EMPLOYER
License No. 1803



FEBRUARY 1, 2001

HOUSE GOVERNMENT AND VETERAN AFFAIRS COMMITTEE
HB 1227

CHAIRMAN KLEIN AND COMMITTEE MEMBERS:

My name is Courtney Koebele. I'm appearing here today as a Special Assistant Attorney General for the North Dakota State Electrical Board. The board was created by the 1917 Legislature and given jurisdiction over all electrical installations in the state to protect the health and safety of North Dakotans. None of the four major changes made to the board by this bill increase safety, and two of the changes seriously lessen protections available to North Dakotans.

First, this bill takes out the requirement of personal supervision of an apprentice electrician. As others with more technical expertise have testified, this is essential to an apprentice's education. Without it, an apprentice could work eight, ten or more hours a day with no input from someone with electrical experience. This is certainly not in the best interests of the health and safety of North Dakotans.

Second, HB 1227 drastically changes the board's makeup for no apparent reason by adding another consumer member. The board currently consists of five members appointed by the governor for five year terms, with one term expiring each year. One member is a master electrician and contractor, one is a journeyman electrician, one is associated with an investor owned utility, one is a consumer member of a rural electrical cooperative, and one represents the public and is not directly associated with the electrical industry.

HB 1227 combines the investor owned utility and rural electric representative positions, and adds another consumer representative. This could leave the board with just two members with electrical industry experience, thus seriously depleting the electrical expertise available to the board. This five member board could have three consumer members, a far bigger ratio than any other state occupational and professional board. Having a majority of a licensing board be non-licensees would be counter productive to efficient operation of the board. The expertise of licensed electricians and those in the electrical industry is very important to the board. The wide variety of the board's current membership provides sufficient protection for North Dakota citizens.

Third, this bill adds another exception to the basic requirement that all electrical work in the state be done by licensed electricians. The current four exceptions all take care to protect the safety of North Dakotans. The first exception is for employees of public utilities engaged in the manufacture and distribution of electrical energy. This does not involve any work product exposed to the public. In addition, these employees are trained in this specific area of expertise. The second exception is for employees of a company that operates telephone and radio systems on the premises where the installations are made for use exclusively for the transmission of telephone and radio signals. Again, this has no direct consumer contact.

(OVER)

LEGISLATIVE TESTIMONY/ND STATE ELECTRICAL BOARD
GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
HB 1227
Page 2 of 2

The third exception involves installing household appliances to existing electrical receptacles that were installed by licensed electricians and already inspected by a state inspector. The fourth exception involves wiring solely on industrial machinery used by the firm itself, which is approved by a registered professional engineer who issued a state approved evaluation to be kept with the equipment. Again, no direct consumer contact.

The exceptions proposed in HB 1227 offers none of these protections. The requirement that it comply with Section 43-09-21 only means that the building itself must pass state inspection. This exception would allow for no safety checks for the actual manufactured buildings units produced by North Dakota firms. It would take only one fire to place a bad name on a North Dakota product. Electrical wiring for buildings or homes is important. That is why we have licensed electricians do the work. Why should manufactured buildings be held to a lower safety standard?

Fourth, this bill places the electrical board with other boards whose members must be considered to have resigned effective the first day of a new Governor's term. By and large, with a few exceptions, the other boards listed in Section 54-07-01.2 are policy-making boards. It makes sense to allow a new Governor the opportunity to change these boards right away. However, in the case of the electrical board, policy has very little to do with its day-to-day operations and responsibilities. The board follows the state law as set forth by the legislature. The board is charged with the responsibility of licensing. Therefore, allowing the governor to change its makeup is not only not essential, but it is actually detrimental to the board. It is very important for the electrical board to have continuity and experience in administering the electrical rules and regulations.

We urge a DO NOT PASS recommendation from this committee on HB 1227. If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

PROPOSED AMENDMENTS TO HB 1227

Page 1, line 9, remove the overstrike over "personal"

Page 1, line 13, overstrike "five" and insert immediately thereafter "six"

Page 1, line 17, remove "and"

Page 1, line 18, replace "or" with "and"

Page 2, line 4, remove the overstrike over "only" and remove the overstrike over "personal"

Page 2, remove lines 28 through 30

Page 3, line 5, remove the overstrike over "personal"

Page 4, line 2, remove "The state electrical board."

Page 4, line 3, remove "s."

Page 4, line 4, remove the overstrike over "s:" and remove "t."

Page 4, line 5, remove the overstrike over "t:" and remove "u."

Page 4, line 6, remove the overstrike over "u:" and remove "v."

Page 4, line 7, remove the overstrike over "v:" and remove "w."

Page 4, line 8, remove the overstrike over "w:" and remove "x."

Page 4, line 9, remove the overstrike over "x:" and remove "y."

Page 4, line 10, remove the overstrike over "y:" and remove "z."

Renumber accordingly