

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2317

2001 SENATE TRANSPORTATION

SB 2317

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2317

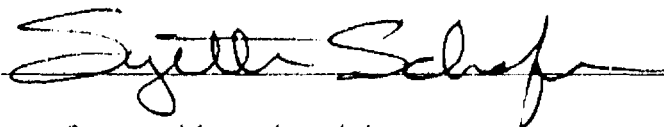
Senate Transportation Committee

Conference Committee

Hearing Date 2-2-01;2-8-01;2-15-01

Tape Number	Side A	Side B	Meter #
1		x	33.3-end
2	x		0.0-15.7
2-8-01	1	x	29.5-34.7
2-15-01	1	x	9.0-15.0

Committee Clerk Signature



Minutes: SB 2317 relates to licensing of nonresident electricians.

Senator Schobinger: Supports this bill and says he became sponsor of this bill because of Don Ferguson, an electrician who moved to his district from Washington state.

Don Ferguson: (electrician; Supports) See attached testimony.

Donald Offerdahl: (Executive Director of the ND State Electrical Board; Lobbyist #293; Opposes) See attached testimony.

John Knudson: (Past board member of ND State Electrical Board; Opposes) See attached testimony.

Courtney Koebele: (Special Assistant Attorney General for the ND State Electrical Board; Lobbyist #372; Opposes) See attached testimony.

Senator Stenchjem: Are you an attorney?

Courtney Koebele: Yes, I'm a lawyer. I represent, but I am not a full-time employee of the Electrical Board.

Page 2

Senate Transportation Committee

Bill/Resolution Number SB 2317

Hearing Date 2-2-01;2-8-01;2-15-01

Leslie Anseth: (IBEW Retiree; Lobbyist #414; Opposes) Gives work history of himself

involving reciprocity. Reciprocity works well; if you mess with this bill, you'd lose reciprocity of other states. This allows ND electricians to go to other states when jobs not available in ND.

Ron Koch: (BMECA & RK Electric; Opposes) Opposes this bill.

Hearing closed.

Committee reopened on SB 2317 on 2-8-01.

Senator Trenbeath: As a lawyer, we never receive reciprocity.

Senator O'Connell moves to Do Not Pass. Seconded by Senator Trenbeath. Roll Call taken.

6-0-0. Floor Carrier is Senator Stenehjem.

Committee closed.

Committee reopened on 2-15-01.

Amendment distributed. Senator Trenbeath motions to accept the proposed amendment.

Seconded by Senator Mutch. Roll call 6-0-0. Senator Trenbeath motions to Do Pass as amended.

Seconded by Senator Mutch. Roll Call taken. 6-0-0. Floor carrier is Senator Stenehjem.

Committee closed.

Date: 2-8
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2317

Senate Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By O'Connell Seconded By Trenbeath

Senators	Yes	No	Senators	Yes	No
1 Senator Stenchjem, Chairman	X		Senator Bercier 6	X	
2 Senator Trenbeath, Vice-Chair	X		Senator O'Connell 5	X	
3 Senator Espegard	X				
4 Senator Mutch	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Stenchjem

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2001 1:38 p.m.

Module No: SR-24-2883
Carrier: Stenehjem
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2317: Transportation Committee (Sen. Stenehjem, Chairman) recommends DO NOT PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2317 was placed on the Eleventh order on the calendar.

10704.0101
Title.0200

Adopted by the Transportation Committee
February 15, 2001

JWB
2-15-1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2317

Amendments to SB 2317 **TRANS**
Page 1, line 11, remove "The board may require an"

2/15/01

Page 1, remove line 12

Renumber accordingly

Date: 2-15
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2317

Senate Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number 107 of 0101

Action Taken YR 106 of the Amendment

Motion Made By Trenbeath Seconded By Mitchell

	Senators	Yes	No	Senators	Yes	No
1	Senator Stenchjem, Chairman	X		Senator Bercier 6	X	
2	Senator Trenbeath, Vice-Chair	X		Senator O'Connell 5	X	
4	Senator Espegard	X				
3	Senator Mutch	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

page 1 lines 11, 12

Date: 2-15
 Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2317

Senate Transportation Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number 107.04.0101

Action Taken Do Pass as Amended

Motion Made By Trenbeath Seconded By Mutch

	Senators	Yes	No	Senators	Yes	No
1	Senator Stenejem, Chairman	X		Senator Bercier <u>6</u>	X	
2	Senator Trenbeath, Vice-Chair	X		Senator O'Connell <u>5</u>	X	
4	Senator Espgaard	X				
3	Senator Mutch	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Stenejem

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

REPORT OF STANDING COMMITTEE (410)
February 16, 2001 1:16 p.m.

Module No: GH-29-3681
Carrier: Stenehjem
Insert LC: 10704.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2317: Transportation Committee (Sen. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2317 was placed on the Sixth order on the calendar.

Page 1, line 11, remove "The board may require an"

Page 1, remove line 12

Renumber accordingly

2001 HOUSE TRANSPORTATION

SB 2317

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2317

House Transportation Committee

Conference Committee

Hearing Date March 8, 2001

Tape Number	Side A	Side B	Meter #
1	x		3,107
		x	0
Committee Clerk Signature <i>Laura Suber</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on SB 2317 as engrossed; A BILL for an Act to amend and reenact section 43-09-25 of the North Dakota Century Code, relating to licensing of nonresident electricians.

Sen. Schobinger: I am senator from District 3, Minot. This bill deals with reciprocity and the licensing of electricians. It says that our requirements and licensing must be the same as other states -- or substantially similar. I think we need this for reciprocity with other states for when we go across state lines. When we say the "same" we should mean similar or substantially similar.

Rep. Weisz - Chairman (3297) Do now have a definition of what "substantially similar" means?

Sen. Schobinger: That is how I see it, it would be at the call of the Electrical Board.

Rep. Kelsch: (3338) Would this bill be actually lowering the standards for electricians in North Dakota?

Sen. Schobinger: No because the standards are set out in the codes.

Rep. Carlson: (3424) Can you explain to me what the standards are now for a licensed electrician?

Sen. Schobinger: To be a class B electrician -- allows you to do electrical work in communities of 2500 pop. And a 1 ½ years experience. And you must take the test. The Electrical Board can be more specific than that. To be a journeyman you need 4 years of electrical wiring experience and take the test.

Rep. Carlson: (3483) So if we were to implement this bill as law --- if I came from another state and they said their only requirement to become a licensed journeyman was to practice for 2 years in the field -- the way I read this bill I would have to give out that license --

Sen Schobinger: As I read this bill , that guy wouldn't be disqualified simply because the license isn't the same -- they could still tell him he doesn't qualify.

Rep. Carlson: (35 38) The words do say "shall grant the license if substantially similar in grade" obviously a journeyman in one state is the same as a journeyman in this or another state and here it says we have to grant him a license--

Sen. Schobinger: The intricacies of the license may not be the same or substantially similar.

It would be up the electrical board.

Rep. Weisz - Chairman (3800) When you change the wording from may to shall -- why are you taking the power to decide away from the Electrical Board?

Sen. Schobinger: That the reason for the Electrical Board it to make those decisions.

They have the power to make those decisions.

Rep. Weisz - Chairman (3877) but if there was a complaint or something and if his experience

Page 3

House Transportation Committee

Bill/Resolution Number SB 2317

Hearing Date March 8, 2001

and everything met our code our board would have to grant him a license?

Sen. Schobinger: Yes if they determine that that license is substantially similar and they do hold that license in another state-- that is the purpose of this bill. Especially in those states we have reciprocity with -- remember this doesn't apply to general licensing.

Rep. Thorpe: (3936) Have you and this person you have introduced this for, made any contact with the state electrical board? Have you or he been invited to come to the Board meetings?

Sen. Schobinger: I know this individual has communicated with the Board by letter.

Rep. Thorpe: (4030) But has he made an appointment with the Board?

Sen. Schobinger: He was denied the opportunity to take the test.

Rep. Thorpe: (4145) It seems to me that if he was denied, he would make an appointment to meet with the Board.

Rep. Thoreson: (4187) With this bill as written enable him to get his license?

Sen. Schobinger: Not necessarily.

Rep. Thoreson: (4255) Then this bill doesn't really change anything?

Sen. Schobinger: It does because it doesn't automatically disqualify him.

Rep. Mahoney: (4293) Are most people who apply -- are they denied?

Sen. Schobinger: I guess the Board can answer that.

Rep. Mahoney: (4386) You say that the Board denied him -- the current law says that they "may" so that does give them the discretion. Under what you are proposing it does not.

Sen. Schobinger: There is a lot more to this an earlier letter said he could be licensed as a journeyman because he was licensed in North Dakota at one time -- a later letter said he could not -- he was denied.

Rep. Mahoney: (4516) Are you saying that if they are granted the reciprocity they would still have to take the test?

Sen. Schobinger: I understand that the Board can make that determination.

Rep. Mahoney: (4547) But if this passed then he would not have to take the exam?

Sen. Schobinger: I understand that is addressed in another section of the code.

Sen. Andrist: I am senator from District 2 and my town is Crosby, ND. I have had a life long mission to reform licensure laws generally -- it is a mission I continue. I might say with out much success. Licensing laws keep people out of our communities when we people and businesses.

Rep. Weisz - Chairman (5108) I take it you are asking us to take the bold move -- a little bolder than what the senate committee --

Sen Andrist: I have heard that the House is a lot more bold than the Senate and I would hope they would --

Rep. Thorpe: (5266) I guess you have a different philosophy than I do -- on our state boards which I feel create and set up standards and see that the standards are met - - I think it protects us the citizens of this state - - against injuries that could happen by persons who are not qualified and shouldn't be licensed. I think we should protect these boards.

Sen Andrist: I have had a lot of experience working with Boards on economic development issue in small communities and I have found the Boards are a lot more concerned about protecting their industry and their franchise than they are in protecting the people of ND.

Rep. Thorpe: (5519) I guess I am going to have to disagree with you -- in other words while I haven't read your proposed amendment here -- you feel then that the state should disband these

Page 5

House Transportation Committee

Bill/Resolution Number SB 2317

Hearing Date March 8, 2001

boards and we should just take our chances?

Sen Andrist: I wasn't submitting this amendment per se but was presenting a concept.

OPPOSITION TESTIMONY (5864)

Courtney Koebele: I am a Special Assistant to the Attorney General for the Electrical Board. I don't work for the Attorney General but I am a private attorney hired by the Board. I have concerns with SB 2317. State law now allows reciprocal license for licensees in the same way they are licensed in other states. We have a great track record. That is something to emphasize here. Of the reciprocal licensee taking the exams in 1999 and in 2000 we granted 98% of the applicants licenses. Each year only 1 application was denied. People are not automatically disqualified if it isn't identical. We don't use the word same to mean identical. We are concerned about changing the word 'any' to 'shall' thus forcing the Board to do grant a license to somebody who has a substantially --- it may open up a whole new series of problems -- to do things that presently don't meet the Boards requirements. We don't have a closed-borders-attitude. While there are only 2 changes "may and shall" and 'substantially similar'. We don't have any definition for substantially similar. By administrative rule we would have to provide that. By practice we do that we grant license that are substantially similar as a practice we recognize because they do not have to be exactly equal.

SIDE TWO -- TAPE 1 Continuation Courtney Koebele Testimony.

Courtney Koebel: WE haven't had problems -- we think we have been doing a good job and we don't think these changes are necessary. It may very well effect all our reciprocal licenses with other states.

Rep. Weisz - Chairman (84) If the language stayed as 'may' it appears -- is there still an issue

of "substantially the similar" -- in there --

Courtney Koebele: I think that is real the big issue the word may stays. We would prefer that the bill not pass at all because we do the substantially the same -- maybe there is one or maybe two people this might someday help.

Rep. Price: (150) Could you be more specific on the individual who was denied his -- what he applied for and what he was denied ?

Courtney Koebele: I understand that he applied from the State of Washington for a license which required 4 years of experience and he couldn't and we couldn't verify 4 years of experience for him. He couldn't even take the test he needed to have those four years of experience because passing the test did not merely qualify him for a license -- he need the experience in ND.

Rep. Price: (208) Under what method or circumstances could he get that experience?

Courtney Koebele: To work 2 more years here or anywhere.

Rep. Price: (225) So he could go to work for some one else?

Courtney Koebele: Yes and then he could take the test and I believe he may not even have to take the test.

Don Offerdahl: I have written testimony and I will not read it verbatim. A copy of his testimony is attached.

Rep. Weisz - Chairman (567) May be you can clear something up here -- I assume he had journeyman's licensed where ever he came from -- couldn't he be granted a journeyman's license in North Dakota?

Don Offerdahl: When we first got the information on this individual and I was not familiar with

Page 7

House Transportation Committee

Bill/Resolution Number SB 2317

Hearing Date March 8, 2001

this individual -- my first thought is to inquire in the other state for verification from the state-- he claimed 4 years experience and it came back they could only verify 2 years of experience.

Rep. Weisz - Chairman (620) But then he would not actually have journeyman's license in the other state?

Don Offerdahl: It was a specialty license limited to residential wiring.

Rep. Ruby; (743) How many state do have the 4 year requirement?

Don Offerdahl: Four years has be around as long as I have been around electrical and we have taken a look a all the avenues and areas that the electrician has to work with you need that much experience to work with the vast number of hazardous locations and hospitals and bulk plants and many more - - you need not only the ability but also the knowledge to do the work. I don't know of a single one that doesn't required a full years.

Rep. Pollert - Vice Chairman; (790) Could he have 2 years experience under a master electrician-- would he still have to take the test?

Don Offerdahl: Yes he would have to take the test -- just like our ND citizens have to take the test.

Rep. Schmidt; (828) Is this right -- this man came to ND and wanted us to do what he couldn't do in his own state?

Don Offerdahl: That is correct.

Dick Bergstad: I am a journeyman electrician in the State of North Dakota. I have held that License for 30 years. I am also representing the International Brotherhood of Electrical Workers. We have a membership of about 1500 that carry the State license. As you know work in ND is Quite cyclical and our workers are required to travel elsewhere for work. With the 11 state

Page 8

House Transportation Committee

Bill/Resolution Number SB 2317

Hearing Date March 8, 2001

reciprocity it is quite easy for them to do that and sustain employment. This bill may jeopardize that. A couple of years ago Montana tried that and they became a State that was land locked.

Eugene Cross: I am representing the ND Electrical Contractors Association and I am a member of the State Electrical Board. A copy of his testimony is attached.

Rep. Thoreson: (Those who have been denied their license in the past couple of years -- have they gone on or have they stayed in the electrical field?

Eugene Cross: I don't have that information unless they re-apply --

Rep. Thoreson: (1364) The person who was trying to mislead the Board -- it sounds to me he was blatantly and also not even closed to meeting requirements and here are trying to change something to get him accepted.

Eugene Cross: That is true. His application did not give complete and true information and when we checked back with his state it did not match what he said.

Mike Foster: I am an electrical contractor in Bottineau -- I also represent the electrical contractors.

We feel this bill should have a 'Do Not Pas'.

Richard Hammond: I represent the ND Chapter of the AEI and myself and I oppose the bill.

Leslie Anseth: I am retired electrician with 35 years of experience and the last years of that was working out of state -- as you know in 1984 the economy was in construction went down hill. Of all of the people who were working in the plants around here had to go somewhere else to work. At that time we were reciprocated with Minnesota and South Dakota. Those states didn't have any work and I had to go else where -- I think when we have earned our reputation to have

Page 9

House Transportation Committee

Bill/Resolution Number SB 2317

Hearing Date March 8, 2001

reciprocity with other states we should not do anything to jeopardizes it. I am opposed to this bill.

Rep. Weisz - Chairman There being no one wishing to appear on further testimony on SB 2317

we will closed the hearing on this bill. (2037)

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2317 **B**

House Transportation Committee

Conference Committee

Hearing Date March 9, 2001

Tape Number	Side A	Side B	Meter #
2	X		720

Committee Clerk Signature *Lawrence J. Pirelli*

Minutes: Rep. Weisz - Chairman opened the discussion for action on SB 2317.

Following discussion, Rep. Carlson moved a 'Do Not Pass' for SB 2317.

Rep. Ruby: I second that motion.

On a voice vote, the motion carried: 13 yeas 0 nays 1 absent.

Rep. Thoreson was designated to carry SB 2317 on the floor.

Date: 3/9/01
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2317

House Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Carlson Seconded By Ruby

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Howard Grumbo	✓	
Chet Pollert - Vice Chairman	✓		John Mahoney	✓	
Al Carlson	✓		Arlo E. Schmidt	✓	
Mark A. Dosch	✓		Elwood Thorpe	✓	
Kathy Hawken	✓				
Roxanne Jensen	✓				
RaeAnn G. Kelsch	A				
Clara Sue Price	✓				
Dan Ruby	✓				
Laurel Thoreson	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Thoreson

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

REPORT OF STANDING COMMITTEE (410)
March 9, 2001 12:20 p.m.

Module No: HR-41-5212
Carrier: L. Thoreson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2317, as engrossed: Transportation Committee (Rep. Welsz, Chairman) recommends
DO NOT PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed
SB 2317 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

SB 2317

TESTIMONY ON SB 2317

Senate Transportation Committee – February 2, 2001

Lewis & Clark Room – 9:45 AM

Chairman Stenehjem and members of the Senate Transportation Committee I appreciate the opportunity to address your committee today on what I see as a very important issue.

My name is Don Ferguson. I have recently moved my family to North Dakota. Prior to moving to North Dakota I lived in Washington State. My profession is as an electrician. I'm 48 years old. In 1976, 24 years ago, I was licensed as a residential electrician. I have maintained that license since and it is currently active. In Washington State I can practice my profession. Unfortunately I am prohibited from practicing here in North Dakota.

I am here today to urge you to pass SB 2317.

In 1993, I came to North Dakota to wire a new house for a friend who had moved here from Washington State. At that time I contacted the State Electrical Board to insure that I did not violate any of the rules in this State. I was issued a journeyman's license so I could perform this job. I returned to Washington following that job.

I was looking for a better place to move my family, a place where the social climate was more family and lifestyle friendly than Seattle, Washington. Since moving here I've been living a nightmare. Let me explain.

In Washington State I was president of my own electrical contracting company and had been for 17 years. I closed my company to move to North Dakota. My company did residential and commercial wiring. During most of that time I employed over 18 licensed electricians and a like number of support employees. Not only did we do residential -- both single family and multi-family my company also did commercial electrical wiring. I estimate that my company wired approximately 10,000 single-family houses and another 10,000 apartment units. I personally wired no fewer than 2,000 units during this period.

As president of the company I managed and oversaw the entire operation. In addition, I also worked regularly on the jobs. I assisted my electricians in performing their jobs. I was not simply a "manager electrician". I worked on the job. It was my responsibility to work along with my employees in the field to access their capabilities and insure the quality of our work. In short I was and am an active, on the job electrician.

I am licensed in Washington State to wire any residential building whether or not it is a garage, a single family residence, a condominium or apartment complex. Washington State issues two types of electrical licenses - residential and commercial. North Dakota has only one type of journeyman license.

Upon arriving in North Dakota I planned to obtain a journeyman electrician's license. The license I had been issued in 1993 had expired and thus I could not simply reactivate it.

In late 1999 I applied to have a journeyman license issued and provided a history of my electrical experience dating from 1976. That information listed the

years I worked the type of work I did and the employers for whom I worked. From 1984 I was self-employed working as Ferguson Electric. On December 16, 1999 I received a letter stating that the State Electrical Board rejecting my work experience and saying that all they would "verify" was two (2) years of experience and that North Dakota requires four (4) years of experience. I was requested to complete another work history, which I did. **[SEE ATTACHMENT 1]**

I attempted to then continue working and did so under the Masters' License of Marlin Norstegaard. Mr. Norstegaard corresponded with the State Electrical Board and received a letter dated February 1, 2000 which stated that since my 1993 license had expired and stated, "He (Ferguson) will have to rewrite the exam or register as an apprentice". **[SEE ATTACHMENT 2]**

I then received a letter from the State Electrical Board informing me that State of Washington said I did not have a certification to work on "commercial" sites. That is correct, I do not have a commercial certificate. My Washington State certificate is for residential work. North Dakota does not have a residential and commercial license designation. Instead it has a "B" and an "A" designation. The "B" license permits a person to wire houses in cities of less than 2,500, the "A" in larger cities.

Therefore, I applied to take the state journeyman license test and sent along the required fee, as stated in the State Board's letter of 2/1/2000.

I was then informed the state board was unwilling to accept my credentials from Washington State and allow me to take the journeyman's licensing test. The individual I spoke with told me that to qualify to take the test I would have to work under a journeyman for four (4) years before I would be allowed to take that test.

I told him I could not afford to support my family on what apprentices were paid and that I was fully qualified to work as a journeyman and wished to take the test. He said, "If you are as good as you say you are you should not have any difficulty getting an apprentice job and being paid more than the standard apprentice wage."

The Board has refused and continues to refuse to permit me take the journeyman's test. I have provided a listing of all my qualifications as requested, including providing a certified certificate from the State of Washington showing that I have a Residential Electrician Certificate and have had since 1976. **[SEE ATTACHMENT 3]** When I took my exam in 1976 in Washington State there was a requirement of two (2), not four (4) years on the job experience, which I, of course, had completed.

I understand the concerns about permitting individuals to perform electrical work. I understand there are real and serious life safety issues. However, isn't that the purpose of the system that is in place here in North Dakota? Isn't that what testing is all about. Further, isn't that why a state or local electrical inspector inspects every single electrical job in this state. For all new construction there are at least two inspections, one following the rough-in wiring prior to cover and again prior to occupancy.

While North Dakota appears to permit reciprocity under **43-09-25** that isn't permitted with Washington State since Washington State certifies electricians in

categories different than those issued by North Dakota. I have no problem with this, however, I believed that I would be permitted to take the exam to prove my qualifications. Unfortunately this has been denied and according to the State Electrical Board they are not allowed to permit this. That is why I urge you to pass **SB 2317** so they can permit others and me to take the journeyman exam.

If I fail the journeyman's exam then I shouldn't be permitted to work as a journeyman electrician. If I pass no one is at risk. Not only are my technical qualifications confirmed, the inspections that are performed by our electrical inspectors insure that my field qualifications are also. If my work is not up to standards my license can be suspended or revoked. However, the problem my family and I are facing is that I'M NOT BEING PERMITTED TO TAKE THE EXAM, and therefore can not establish my competency nor practice my profession as a journeyman electrician.

I believe that I am qualified and should be issued a journeyman's license pursuant to 43-09-25 as I was in 1993 without any further requirements. However, when I was denied that option I requested to take the exam as the State Board had set forth in its letter to Mr. Norstøgaard on 2/1/2000 and was again denied. Unless I am able to obtain a license to practice my profession as a journeyman electrician I will not be able to live in North Dakota and support my family.

I have worked with my Senator, Senator Schobinger to bring this bill to you and hope that you will pass it so not only I and my family but also others like me can move to North Dakota and practice our trade.

Thank you for your time listening to my story. If there are any questions I would be happy to try to answer them. And again I urge you to vote a **DO PASS** on **SB 2317**.

Presented by:
Donald Ferguson
216 19th Street SE #8
Minot, ND 58701
(701) 838-7646
E-mail: djf52@ndak.net

ATTACHMENT 1

NORTH DAKOTA
STATE ELECTRICAL BOARD

OFFICE LOCATED IN RIVERSIDE OFFICE BUILDING - 721 MEMORIAL HIGHWAY
P.O. BOX 857 • BISMARCK, NORTH DAKOTA 58502
(701) 328-9522 • FAX (701) 328 9524

BOARD MEMBERS

Gerald Roaldson
PRESIDENT
Gackle

Don Rettig
VICE PRESIDENT
Fargo

Mary Kitzenberg
SECRETARY
Williston

Pam Geiger
TREASURER
Mandan

Eugene Cross
West Fargo

December 16, 1999

Donald Ferguson
215 19th Street SE #8
Minot, North Dakota 58701

Dear Mr. Ferguson:

We are returning your application for Journeyman license for completion of your work history.

Verification from the state of Washington indicates you verified two (2) years experience to obtain their residential license. North Dakota requires verification of four (4) years of electrical construction experience to obtain a Journeyman license.

Please complete the work history section and return to our office for processing.

Thank you.

Sincerely,


Andrea Kluck
Office Manager

Enclosure - Application

OFFICE PERSONNEL

Donald Offerdahl
EXECUTIVE DIRECTOR

Andrea Kluck
OFFICE MANAGER



ATTACHMENT 2

NORTH DAKOTA
STATE ELECTRICAL BOARD

OFFICE LOCATED IN RIVERSIDE OFFICE BUILDING - 72' MEMORIAL HIGHWAY
P.O. BOX 857 • BISMARCK, NORTH DAKOTA 58502
(701) 328-9522 • FAX (701) 328-9524

BOARD MEMBERS

Gerald Roadson
PRESIDENT
Gackle

Don Rettig
VICE PRESIDENT
Fargo

Mary Kitzenberg
SECRETARY
Williston

Pam Gager
TREASURER
Mandan

Eugene Cross
West Fargo

February 1, 2000

Marlin Norstegaard
Norstegaard Electric
7 Timothy Dr
Minot ND 58701

Dear Mr. Norstegaard:

We have been doing a review of our files due to the number of Journeyman applicants who find out upon application that they are not registered as apprentices.

The North Dakota State Electrical Board reviewed their policy and determined that it would be the responsibility of the Master electrician to assure those employees working as apprentices be properly registered as well as the licensed electricians that are presently being checked.

Matt Ferguson has never been registered and is required to be registered at this time.

Also it has come to our attention that Journeyman Don Ferguson was licensed from 9-9-93 to 3-31-94 but is no longer licensed. Since it has been longer than three years that his license expired, he will have to rewrite the exam or register as an apprentice.

We ask for your cooperation in this matter and ask that these people, in addition to all new employees, be checked to assure that they are properly registered.

If you have any questions feel free to contact me.

Sincerely,



Donald Offerdahl
Executive Director

Cc Ron Ihmels
Ross Rubbleke

OFFICE PERSONNEL

Donald Offerdahl
EXECUTIVE DIRECTOR

Andrea Kluck
OFFICE MANAGER



ELECTRICAL
SAFETY
SINCE
1917

ATTACHMENT 3



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

mail correspondence to: PO Box 44460, Olympia, Washington 98504-4460

March 24, 2000

RE: Verification of electrician certification for **FERGUDJ235LT**:

To Whom It May Concern:

I certify that I, Faith Marshall, am the Electrical Compliance Technical Specialist, for the Licensing and Certification Unit, Specialty Compliance Services, a Division of the Department of Labor and Industries for the state of Washington.

I state that it is my lawful duty to administer the provision of RCW 19.28, the Electrician and Electrical Installation Statute, and that one of my responsibilities is to see that records of certification are kept for Journeyman and Specialty Electricians, within the state of Washington. I further state that I am a Custodian of the seal of the Department of Labor and Industries and am authorized to use said seal.

I state that the Licensing Unit has made a diligent search of said records and those records from, January 1990, to present and those records reflect the following:

- | | |
|--|--|
| • Donald J. Ferguson | 215 19 th St. SE Apt #8 Minot, ND 58701 |
| • Residential Electrician Certificate #: | FERGUDJ235LT |
| • Effective Date of Certificate: | November 1, 1976 |
| • Expiration Date of Certificate: | October 7, 2002 |
| • Certificate Achieved by: | Exam |
| • Lapses in Certification: | 6/30/85 to 8/1/85 Inte renewal |
| • Status of Certificate: | Active |
- Exam passed with a 75% or better: ___ Yes ___ No Not available (contact Experior testing agency at (800) 326-3926 or (801) 355-5009.)

RCW 19.28.530 (b) To be eligible to take the examination to become a specialty certificate the applicant shall have: (1) Worked in that specialty of the electrical construction trade, under the supervision of a journeyman electrician or an appropriate specialty electrician, for a minimum of two years (4000 hours) employed full time.



Continued on page two

March 24, 2000
FERGUDJ235LT
Page two of two

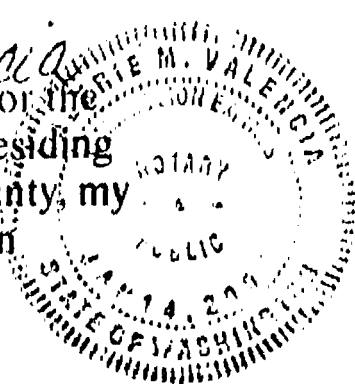
Based on the aforementioned information, I state that **DONALD J. FERGUSON** is presently an active residential electrician, within the State of Washington.

Sincerely,

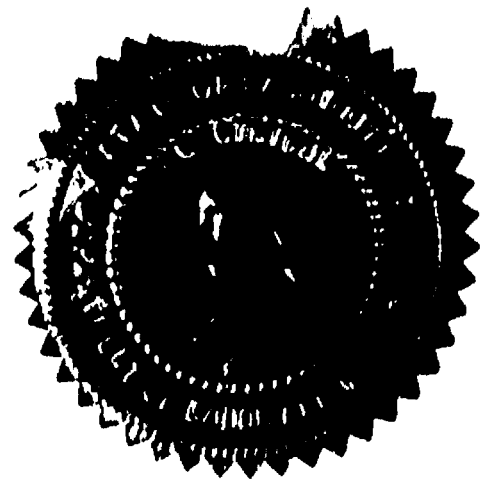
Faith Marshall

Faith Marshall, Electrical Compliance Technical Specialist
Audit / Licensing / Certification Manager
Specialty Compliance Services Division,

Valerie Valencia
Notary Public in and for the
State of Washington residing
in Pierce County, my
Commission expires on
01-14-02



I certify that this document has been sealed with the seal of the Department of Labor and Industries for the state of Washington



SB2317

Chairman Stenehjerm and other members of the Transportation Committee.

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

I come before you in opposition of SB2317.

The proposed language from "same" to "substantially similar" really does not change the meaning when determining the class of license an applicant holds in another jurisdiction. We currently have reciprocal agreements with 11 other states. This multi-state agreement is in place for Journeyman electricians. Each state has a classification for unlimited Journeyman electrician. These electricians have verified to their jurisdiction 4 years of electrical experience under the supervision of a contracting licensed electrician in an area where electrical construction is done.

By adding the language of "the requirement to take a test" basically diminishes the principle of reciprocal licensing. Reciprocal licensing principle is if somebody shows proof to a state that has the same requirements as the state of North Dakota, no further examination is needed. The people that do not meet the requirements of the reciprocal agreement but can verify the experience, we allow them to take the test.

In the process of reviewing those reciprocal applicants, the following information was gathered:

1999	65 applied	2000	77 applicants
	62 approved		73 approved
	3 denied		4 denied

Most of those applicants that were denied couldn't show proof of time or experience required.

I would like to thank the committee for the opportunity to present you with the present facts of the North Dakota State Electrical Board.

I will take questions at this time.

NORTH DAKOTA
STATE ELECTRICAL BOARD

OFFICE LOCATED IN RIVERSIDE OFFICE BUILDING - 721 MEMORIAL HIGHWAY
P.O. BOX 857 • BISMARCK, NORTH DAKOTA 58502
(701) 328-9522 • FAX (701) 328 9524

BOARD MEMBERS

Gerald Roaldson
PRESIDENT
Gackle

March 3, 2000

Don Rettig
VICE PRESIDENT
Fargo

Donald Ferguson
215 19th St SE #8
Minot, North Dakota 58701

Mary Klitzenberg
SECRETARY
Williston

Pam Gelger
TREASURER
Mandan

Eugene Cross
West Fargo

Dear Mr. Ferguson:

We have received two letters from Senator Randy Schobinger of Minot, North Dakota regarding your license application.

The North Dakota State Electrical Board bases their decision on the information that is provided us on your license application. If you have additional information as to persons to contact in the State of Washington to verify your work experience in the State of Washington, we are happy to do that.

If it is your desire to obtain a Class B (residential/farm) license similar to the Journeyman residential license in Washington, let this letter be your notification that you are approved to take such exam in North Dakota. You will need to submit an additional \$15.00 for this application. After receiving this fee, I will allow you to take the exam on March 13, 2000 if you so desire. Please notify us so that an invitation can be mailed to you.

If you wish to bring this before the North Dakota State Electrical Board you are encouraged to do so. If you wish to attend the board meeting regarding this issue, the North Dakota State Electrical Board will have it's regular meeting on March 22, 2000 at the offices of the North Dakota State Electrical Board located at 721 Memorial Highway. Please let me know so this item can be placed on the agenda.

Enclosed is Section 24-02-01-02 of the North Dakota Wiring Standards, which are the administrative rules we follow for qualifications for license exams.

If we can be of more assistance, or if you have any questions on this matter, please feel free to contact me.

Sincerely,

Donald Offerdahl
Executive Director

OFFICE PERSONNEL

Donald Offerdahl
EXECUTIVE DIRECTOR

Andrea Kluck
OFFICE MANAGER



ELECTRICAL
SAFETY
SINCE
1917

24-02-01-02. General Statement of Policy and Interpretative Rules.

There are three categories of licensed electricians recognized by the electrical board.

1. Licensed electricians and the qualifications required for each to apply for examination:

- a. A Master electrician must have one year's experience working as a licensed journeyman electrician under the supervision of a contracting master electrician.
- b. A Journeyman electrician shall have four years' experience registered as an apprentice electrician (of which up to eighteen months may apply under the qualifications of a class B electrician) under the supervision of a contracting master licensed electrician in an area where electrical construction work is done in the jurisdiction regulating similar rules of the state of North Dakota. One year's credit will be granted for a graduate of a two-year electrical school approved by the state electrical board. The person must have the necessary qualifications, training, and technical knowledge to wire, install and repair electrical apparatus and equipment in accordance with the standard rules and regulations of the National Electrical Code.
- c. A Class B electrician shall have eighteen months' experience in farmstead or residential wiring under the supervision of a master or class B electrician. Commercial wiring experience will not be credited for experience towards a class B license. Six months' credit will be granted for a graduate of a two-year electrical school approved by the state electrical board.

2. Apprentice electricians. There are two categories of apprentice electricians.

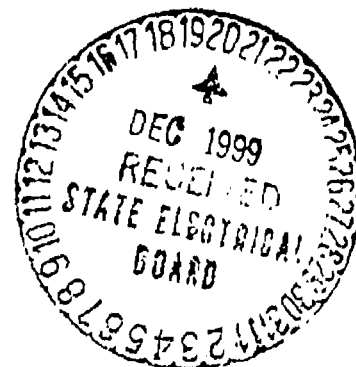
- a. Apprentice electricians under the joint apprenticeship training committee training program approved by the department of labor.
- b. Electrician trainees who may not be eligible for the joint apprenticeship training committee program and other persons desiring to accumulate a sufficient time and capability in the electrical trade to qualify them to apply for permission to take the examination for journeyman electrician's license.

Any person may work as an apprentice under a licensed master or class B electrician, but the master or class B electrician may not allow an apprentice to work on any installation without direct constant supervision by a North Dakota licensed electrician working with the apprentice at the worksite. Licensed electricians may supervise not more than three apprentices.

Electrical contractors shall maintain records of all employees who are or will be performing electrical work for that electrical contractor and shall permit the electrical board to examine and copy all such records as required by this section.

Any master or class B electrician who fails or refuses to comply with this section or who fails or refuses to comply or demonstrate compliance with this section at the request of the board or its representative, shall subject that person's license to nonrenewal, suspension, or revocation by the board.

NORTH DAKOTA STATE ELECTRICAL BOARD
PO BOX 857
BISMARCK, NORTH DAKOTA 58502
Fax No. 701-328-9524
Office No. 701-328-9522



LICENSE VERIFICATION

SUBJECT TO REVIEW BY APPLICANT

DATE DECEMBER 13, 1999

TO: PHYLLIS A COOPER OFFICE SUPPORT SUPERVISOR
DEPARTMENT OF LABOR AND INDUSTRIES
PERMITS & LICENSING - PO BOX 44460
OLYMPIA WA 98504-4460

APPLICANT DONALD FERGUSON
215 19TH ST SE #8
MINOT ND 58701

SS NO. 534-56-6509

To Whom It May Concern:

The above applicant has requested a North Dakota MASTER (,) JOURNEYMAN (XX) license by reciprocity. - Residential

Please furnish the following pertinent information so qualifications for reciprocal license can be established per reciprocal agreement.

License in force from 11-1-76 to 10-7-02

{ Did applicant verify ² years of practical experience (Journeyman) Residential
5 years of practical experience (Master)? _____

Was license obtained by examination? yes

Examination date 11-1-76 Grade NOT public record

Was license obtained by reciprocity? NO From what state _____

Was license obtained by Grandfather? NO Date obtained _____

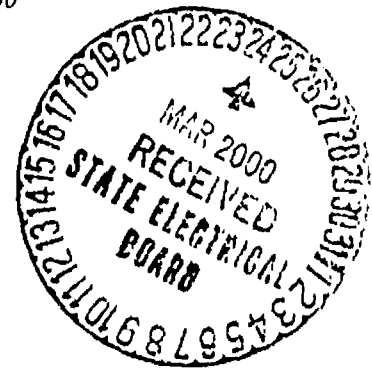
Signed: Sherrice Young
Title: Customer Service Specialist
Date: 12/13/99



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES
Electrical Audit Program, PO Box 44460, Olympia, WA, 98504-4460

March 17, 2000

Don Offerdahl
North Dakota State Electrical Board
PO Box 857
Bismark, ND 58502



SUBJECT: Information Request

Dear Mr. Offerdahl:

This note is to follow up with additional details concerning our phone conversation on March 15, 2000 about the Washington electrical training records of Donald J. Ferguson (Residential specialty electrician certificate FERGUDJ235LT).

Mr. Ferguson was issued a Washington residential specialty electrician certificate of competency on 11/1/1976. His application (and affidavits of experience) for this specialty certification examination documented only residential electrical installation experience.

In November 1984 Mr. Ferguson applied to take the Washington journeyman electrician examination. His application was denied because he could not document any of the required two years (3600 hours, at that time) of commercial/industrial electrical installation experience under the supervision of a journeyman electrician. This commercial/industrial experience, under one-to-one supervision by a certified journeyman electrician, is mandatory in order to qualify for journeyman certification in Washington. Only half of the four-year (7200 hours, at that time) of journeyman electrician qualifying installation experience can come from any combination of electrical specialty work.

In order to accumulate commercial/industrial experience an individual must have in their possession a valid Washington electrical training certificate and turn in their accumulated training hours annually when renewing the training certificate. Mr. Ferguson has never had a Washington electrical training certificate and has no commercial/industrial electrical installation experience on file. As of this date Mr. Ferguson would not qualify to sit for the Washington journeyman electrician examination.

Let me summarize how our electrical contracting, electrical administrator certification, and electrician certification programs may differ from yours:

- A individual may become an electrical contractor by filling out our application and paying the appropriate fees, showing proof of a contractor's bond (\$4000) assigned

March 17, 2000

Page 2

to the State of Washington, and designating an electrical administrator certificate holder to perform that function for the company.

- An electrical administrator must pass our administrator's examination to become certified. Unlike some states that have a "master" electrician license that first requires journeyman electrician status, there is no electrical installation experience requirement for eligibility to sit for our administrator's examinations. As a result, our electrical administrator's certification does not allow or qualify an individual to perform "hands-on" electrical installation work. A certified administrator is held responsible for insuring all of their contractor's work is in compliance with appropriate electrical code and licensing standards. An administrator may perform this function for only one company and must be a full-time supervisory employee or a member of the firm.

Donald J Ferguson was a principal of Ferguson Electric Company Inc. a general electrical contracting firm (EC01 license FREGUEC160PK). He does not possess an electrical administrator's certificate and did not perform that function for the company. The company received several citations for failing to have a full-time supervisory employee or member of the firm as the administrator in 1997 and 1998.

On December 28, 1999 a final judgement from Superior Court in the State of Washington was awarded to the State of Washington Department of Revenue for unpaid taxes for the entire Ferguson Electric Company Inc. contractor's bond. On February 14, 2000 the Ferguson Electric Company Inc (FREGUEC160PK) electrical contractor's license was suspended.

If you have any questions, please contact me at (360) 902-5742.

Sincerely,



Doug Erickson
Electrical Audit

Enclosure

CERTIFIED COPY

99 DEC 23 PM 3:30

RECEIVED
STATE OF WASHINGTON
DEPARTMENT OF REVENUE

RECEIVED
REC'D JAN 07 2000
STATE OF WASHINGTON
CONTRACTOR REGISTRATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

STATE OF WASHINGTON
DEPARTMENT OF REVENUE,

CAUSE NO. 99-2-26359-6SEA

Plaintiff,

v.

FERGUSON ELECTRIC COMPANY,
INC.,

ORDER OF DEFAULT AND
DEFAULT JUDGMENT

Defendant(s).

I. JUDGMENT SUMMARY

RECEIVED
DEPT. OF REVENUE

Judgment Creditor: Department of Revenue of the State of Washington

FEB 14 1999

Judgment Debtor(s): Ferguson Electric Company, Inc.

PERMITS & LICENSES

Principal Judgment Amount: \$4,000.00

Total Judgment Amount: \$4,000.00

Attorney for Judgment Creditor: Dina L. Yunker
Assistant Attorney General
Bankruptcy & Collections Unit
900 Fourth Avenue, Suite 2860
Seattle, Washington 98164-1012
(206) 389-2187

Attorney for Judgment Debtor(s): None

Post judgment interest rate: 12% per annum

II. ORDER

This matter came for before the undersigned on an ex-parte motion by the plaintiff for entry of an order of default and default judgment against Ferguson Electric Company, Inc., and

JAN 07 2000

CONTRACTOR REGISTRATION

1 the court having reviewed the files herein, showing that the defendant was served with a
2 Summons and Complaint for Unpaid Taxes Claim on November 15, 1999, and that no answer
3 has been filed by said defendant, now, therefore,

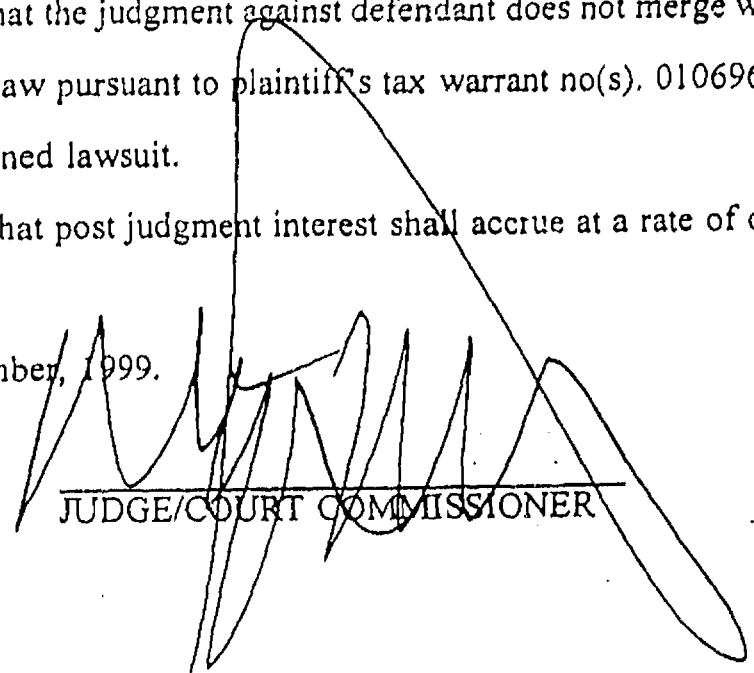
4 **IT IS HEREBY ORDERED** that the defendant, Ferguson Electric Company, Inc., is
5 in default and the default is hereby entered.

6 **IT IS FURTHER ORDERED** that the plaintiff is awarded judgment in the amount of
7 \$4,000.00, against said defendant, which includes pre-judgment interest and legal costs as
8 provided by law. Post-judgment interest shall accrue at the rate of one percent per month.

9 **IT IS FURTHER ORDERED** that the judgment against defendant does not merge with
10 nor extinguish those rights provided by law pursuant to plaintiff's tax warrant no(s). 010696A,
11 which is the subject of the above-captioned lawsuit.


12 **IT IS FURTHER ORDERED** that post judgment interest shall accrue at a rate of one
13 percent per month.

14 DATED this ____ day of December, 1999.



JUDGE/COURT COMMISSIONER

17 Presented by:
18 CHRISTINE O. GREGOIRE
19 Attorney General

20 
21 DINA L. YUNKER, WSBA# 16889
22 Assistant Attorney General
23 for State of Washington
24 Department of Revenue

RECEIVED

DEC 27 1999

STEPHEN M. GADDIS
COURT COMMISSIONER

RECEIVED
DEPT. L & I

FEB 14 1999

PERMITS & LICENSING

Transportation Committee

The Honorable Bob Stenehjem Chairman
Tom Trenbeath Vice Chairman
Duaine Espegard
Duane Mutch
Dennis Bercler
David O'Connell

As a past board member of the NDSEB (North Dakota State Electrical Board) I use this communications medium to register my opposition to the section 43-09-25 identified as SB 2317.

The use of the word substantially similar rather than equal or the same creates a judgmental call situation on each and every applicant for the staff of the NDSEB.

Reciprocal agreements with other states insure that electricians from those states meet requirements of North Dakota. North Dakota has reciprocal agreements with more than a dozen different states.

The testing clause raises question. Does the NDSEB need administer the proposed examination every time an applicant applies or is it done in some other timely manner? I can only view this as an increase in staff responsibilities.

I thank you for the opportunity to express my opposition to the proposed changes in SB 2317.

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

FEBRUARY 2, 2001

SENATE TRANSPORTATION COMMITTEE
SB 2317

CHAIRMAN STENEHJEM 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 has some concerns with SB 2317.

State law now allows reciprocal licensing for licensees of the same grade or class licensed by other states. If the applicant meets the required amount of hours, the applicant does not need to take the examination. In 1999, the Electrical Board granted 98% of the reciprocal applications received. In 2000, it again granted 98% of reciprocal licenses. In each year only one application was denied.

SB 2317 – by changing the word “may” to “shall” - will mandate or force the board to grant a license to someone that has “substantially similar” qualifications. This takes away any discretionary authority of the board, and also opens it up to litigation from the 2% of applicants that don't meet the board's requirements.

Presently, if we have a reciprocal agreement with another state, we do not require a separate examination before issuing a license. SB 2317 adds that the board “may” require an examination. However, the board already has this option under NDCC § 43-09-09.

If SB 2317 passes, the board would need to define “substantially similar” by administrative rule, since it's not defined elsewhere. We need to have a definition to protect us from litigation. Black's Law Dictionary defines substantially as “Essentially; without material qualification; in the main; in substance; materially; in a substantial manner.” It defines similar as “Nearly corresponding; resembling in many respects; somewhat like; having a general likeness, although allowing for some degree of difference.” Therefore, substantially similar would allow for some degree of difference, but it would still require a resemblance or “sameness” in many respects, and without material qualification or difference.

The board has approved 98% of all reciprocal applications in 1999 and 2000. We simply do not see a problem with this, but SB 2317 does and wants 100%. Under current law, by requiring the same or equal licensure status, and giving the board the discretion with the word may rather than shall, only 2% of the applicants did not get their licenses (one each year). It is obvious the board already grants licenses to “substantially similar” candidates.

Changing the law to “shall grant licenses of substantially similar” would not affect the meaning to an extent to include that last 2%. And should it? Should the state board grant reciprocal licensing to everyone that applies? Probably not.

This is one of those classic “if it ain't broke” situations. Because we do not feel the law needs changing, we respectfully urge a DO NOT PASS on SB 2317. If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

2317

2-16-00- *[Signature]*



APPLICATION FOR ELECTRICIAN'S LICENSE
NORTH DAKOTA STATE ELECTRICAL BOARD
BFN 11858 (11-95)

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

This Application shall be on file at the office of this board at least 30 days previous to date of examination.

EXAMINATION FEE MUST ACCOMPANY THIS APPLICATION

Designate the Type of License for which you are applying

MASTER ELECTRICIAN \$50.00 JOURNEYMAN \$25.00 CLASS "B" \$40.00

Date: 12-13-99 Telephone: 701 836 7646 Name: Donald Ferguson Social Security No.: 334 56 6565

Mailing Address (Street or P.O. Box No.): 215 19th SE #8

City: Minot ND County: State: ND Zip Code: 58701

Present Employer: Ferguson Electric Co Inc.

Address of Employer (Street No.): PO Box 1126 City: Woodville State: Wc

Employed in what capacity? Owner Journeyman

Date of Birth: 10-7-52 How many years have you been a resident of the State of North Dakota? Education: Circle Highest Grade Completed: 1 2 3 4 5 6 7 8 9 10 11 (2) 13 14 15 16

Are you a graduate of an Electrical Trade School? No Yes--List name and address of school: No

State other courses of Electrical study or approved apprenticeship training, if any: None

Name of above course Address

Instructor

Have you ever carried an Electrical License? No Yes--Where? Washington - North Dakota

Type or grade of license: Journeyman Number of years such license was in force: 2.3 years

Was the license obtained by examination? No Yes

Have you ever had an Electrical License revoked? No Yes--By whom?

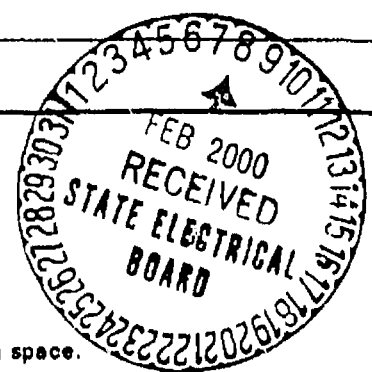
Give reasons for revocation

Have you previously made application for a State of North Dakota Electrical License? No Yes # 3363

Have you previously been examined for an Electrical License by this Board? No Yes--state type and results of examination

Are you registered with the North Dakota State Electrical Board as an Apprentice Electrician? No Yes

When can I take the test



FAXed 12-13-99

**RECIPROCAL AGREEMENT / LETTER OF INTENT
REGARDING JOURNEYMAN ELECTRICIAN QUALIFICATIONS**

PARTIES TO THE AGREEMENT

This Reciprocal Agreement / Letter of Intent, hereafter called Agreement, is made and entered into by and among the states which have executed it.

PURPOSE

It is the purpose of this agreement to mutually recognize unlimited or general journeyman electrician qualifications between states with equivalent standards, and allow electricians from those states to become certified/licensed without examination in another state which has signed this Agreement.

IN CONSIDERATION OF THE TERMS AND CONDITIONS CONTAINED HEREIN,
THE PARTIES AGREE AS FOLLOWS:

CONDITIONS FOR CERTIFICATION

A state which is party to this Agreement shall issue reciprocal journeyman electrician certificates/licenses in accordance with the conditions set out in this clause.

1. All parties to this Agreement shall at a minimum maintain the requirements for a journeyman electrician certificate/license as follows:

Journeyman Electrician. A journeyman electrician is a person who has qualified for a journeyman electrician certificate of competency/license (certification) by passing a mandatory examination after completion of either a four-year apprenticeship program; or four years (8000 hours) of equivalent experience as determined by the licensing state.
2. Applicants must hold, from a state which is party to this Agreement, a journeyman electrician license/certificate or higher classification that is current, active and in good standing.
3. Applicants may be required, by the state where the certification is requested, to have held the license/certificate for a minimum of one year prior to requesting certification in that state.
4. Applicants may be required to supply specific documentation and / or comply with additional conditions or requirements of the state in which the certification is requested.

For example, pursuant to Section 37-68-307 MCA, "The examination passing grade is 75%, the State of Montana, before issuing a license/certificate to a person from a state signatory to the Agreement, shall require written verification from the licensing state or testing agency that the person passed the exam in the licensing state with a score equal to or greater than 75%."
5. A state will issue a certificate/license without written examinations when an applicant has met that state's requirements for certification/license and paid the state's appropriate fees.
6. Each state shall maintain such permanent records of license/certification applicants which will document the applicant's qualifications, experience, education, tests and scores for a period corresponding to that state's record retention schedule.

EMPLOYMENT RECORD

Instruction for Completion: List complete street and city address for each employer, list exact dates of employment for each employer, reason for separation. The Board will verify all employment data with present and former employers.

Name of Present Employer Ferguson Electric Co Inc		Date Started 10-30-84	Date Left Now
Street Address PO Box 1126		City Woodinville	State Washington
Reason for Leaving?			
Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)			
5 year Commercial wiring and estimating			
10 year service work, mostly family and			
house wiring and managing 20 to 30 employees			
Name of Previous Employer Monark Electric		Date Started 6-1976	Date Left
Street Address		City Bellevue	State WA
Reason for Leaving? went out of business			
Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)			
4 years service work house wiring			
Name of Previous Employer		Date Started	Date Left
Street Address		City	State
Reason for Leaving?			
Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)			
Name of Previous Employer		Date Started	Date Left
Street Address		City	State
Reason for Leaving?			
Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)			

EMPLOYMENT RECORD

Instruction for Completion

List complete street and city address for each employer, list exact dates of employment for each employer, reason for separation. The Board will verify all employment data with present and former employers.

Name of Present Employer FERGUSON ELECTRIC Address Box 1126 WOODINVILLE WA
Street City State

Date Started JUNE 1983 Date Left PRESENT

Reason for Leaving? NONE

Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)

16 YEARS: RESIDENTIAL HOMES, MULTIFAMILY APTS., COMMERCIAL BLDGS

Previous Employer SENTRY ELECTRIC Address _____
Street City State

Date Started APPROX 1977 Date Left JUNE 1983

Reason for Leaving? STARTED NEW BUSINESS

Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)

Previous Employer MONARCH ELECTRIC Address BELLEVIEW WA
Street City State

Date Started 1973 Date Left APPROX 1976-77

Reason for Leaving? _____

Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)

Describe the nature of work in detail, indicating the number of months at each duty. (Example: 5 months installing house wiring; 2 months commercial wiring; 1 month estimating; 1 month appliance repairing; etc.)

All spaces provided must be completed. If question does not apply write "none" in space.

NORTH DAKOTA
STATE ELECTRICAL BOARD

OFFICE LOCATED IN RIVERSIDE OFFICE BUILDING - 721 MEMORIAL HIGHWAY
P.O. BOX 857 • BISMARCK, NORTH DAKOTA 58502
(701) 328-9522 • FAX (701) 328 9524

BOARD MEMBERS

Gerald Roaldson
PRESIDENT
Gackle

March 3, 2000

Don Rettig
VICE PRESIDENT
Fargo

Donald Ferguson
215 19th St SE #8

Mary Klitzenberg
SECRETARY
Williston

Minot, North Dakota 58701

Pam Gelger
TREASURER
Mandan

Dear Mr. Ferguson:

Eugene Cross
West Fargo

We have received two letters from Senator Randy Schobinger of Minot, North Dakota regarding your license application.

The North Dakota State Electrical Board bases their decision on the information that is provided us on your license application. If you have additional information as to persons to contact in the State of Washington to verify your work experience in the State of Washington, we are happy to do that.

If it is your desire to obtain a Class B (residential/farm) license similar to the Journeyman residential license in Washington, let this letter be your notification that you are approved to take such exam in North Dakota. You will need to submit an additional \$15.00 for this application. After receiving this fee, I will allow you to take the exam on March 13, 2000 if you so desire. Please notify us so that an invitation can be mailed to you.

If you wish to bring this before the North Dakota State Electrical Board you are encouraged to do so. If you wish to attend the board meeting regarding this issue, the North Dakota State Electrical Board will have it's regular meeting on March 22, 2000 at the offices of the North Dakota State Electrical Board located at 721 Memorial Highway. Please let me know so this item can be placed on the agenda.

Enclosed is Section 24-02-01-02 of the North Dakota Wiring Standards, which are the administrative rules we follow for qualifications for license exams.

If we can be of more assistance, or if you have any questions on this matter, please feel free to contact me.

Sincerely,

Donald Offerdahl
Executive Director

OFFICE PERSONNEL

Donald Offerdahl
EXECUTIVE DIRECTOR

Andrea Kluck
OFFICE MANAGER



NORTH DAKOTA
STATE ELECTRICAL BOARD

OFFICE LOCATED IN RIVERSIDE OFFICE BUILDING - 721 MEMORIAL HIGHWAY
P.O. BOX 857 • BISMARCK, NORTH DAKOTA 58502
(701) 328-9522 • FAX (701) 328 9524

BOARD MEMBERS

Gerald Roaldson
PRESIDENT
Gackle

Don Rettig
VICE PRESIDENT
Fargo

Mary Kitzenberg
SECRETARY
Williston

Pam Geiger
TREASURER
Mandan

Eugene Cross
West Fargo

March 16, 2000

Senator Randy Schobinger
521 Central Ave
Minot ND 58701-4055

Dear Senator Schobinger:

In regards to your March 14, 2000 letter, the decision for Mr. Ferguson to take the North Dakota Journeyman exam is not final at this time. We are giving him the opportunity to provide us with more information for the North Dakota State Electrical Board to make a decision.

As of this date, we have not received any communication from Mr. Ferguson. Taking the electrical exam is only half the process, as stated in 24-02-01-02 item #4 of the North Dakota Wiring Standards, skill and experience are necessary factors for a safe and adequate wiring installation.

The North Dakota State Electrical Board is very concerned that the person who obtains an electrical license has both practical experience and the knowledge of the National Electrical Code and electrical fundamentals.

The North Dakota State Electrical Board will give Don Ferguson another opportunity to verify his experience. If he can get verification from the State of Washington Department of Labor and Industries that he would be qualified to take their Journeyman exam, that documentation would be the proof this department needs to allow him to take the Journeyman exam in North Dakota. If we receive that information by the March 22, 2000 board meeting, it will be presented to the board for their decision. If you or Mr. Ferguson wish to appear before the board in person, please contact me so we can notify you of the time that it's on the agenda.

From the information we have in regards to his work experience he would need to show 2 ½ years working under the supervision of a licensed master electrician.

Sincerely,

Donald Offerdahl
Executive Director

OFFICE PERSONNEL

Donald Offerdahl
EXECUTIVE DIRECTOR

Andrea Kluck
OFFICE MANAGER


ELECTRICAL
SAFETY
SINCE
1917

NORTH DAKOTA
STATE ELECTRICAL BOARD

OFFICE LOCATED - 721 MEMORIAL HIGHWAY
P.O. BOX 857 • BISMARCK, ND 58502
www.state.nd.us/electric
(701) 328-9522 • FAX (701) 328 9524

Donald Offerdahl
EXECUTIVE DIRECTOR

Richard Wolfe
DIRECTOR OF INSPECTIONS



February 9, 2001

Donald Ferguson
215 19th St SE #8
Minot ND 58701

Dear Mr. Ferguson:

It was good to meet with you at the Capital when you testified on the SB2317.

The exchange of information between you, Bob Hale and myself was beneficial for all parties involved. Your information was contrary to the information we have received from the State of Washington. As any board, they base their decisions on the information before them.

I encourage you to present the board with any additional information this department can use to fulfill your request for your Journeyman license. If we receive a letter of approval from the state of Washington for you to take their unlimited Journeyman license. I will present that letter to the board at their March 14, 2001 meeting. If you wish to appear before the board, please let me know so it can be placed on the agenda.

If I can be of any further assistance, please feel free to contact me.

Sincerely,

Donald Offerdahl
Executive Director

DO/bs

cc Senator Randy Schobinger

BOARD MEMBERS

Gerald Roaldson
PRESIDENT
Gackle

Don Rettig
VICE PRESIDENT
Fargo

Pam Geiger
SECRETARY
Mandan

Eugene Cross
TREASURER
West Fargo

Mary Kitzenberg
MEMBER
Williston

SB2317

Chairman Weisz and other members of the House Transportation Committee.

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

I come before you in opposition of SB2317.

When it was first introduced and changing the language from same to substantially similar appeared to not change the intent of the reciprocal law. After the testimony of the Senate Hearing the intent of the bill is to allow applicants with less qualifications the ability to obtain a license.

States that have reciprocal agreements now with the North Dakota State Electrical Board may question the licensing process done by the State of North Dakota, especially if the applicant has applied in their state, was denied, accepted in North Dakota and now may reciprocate back to their state. If this happens this will jeopardize the reciprocal agreements we have with 11 other states. In our administrative rules 24-02-01-02 it states the qualifications required for licensed electricians. These are the same requirements as stated in our multi-state reciprocal agreement. In item 6, it is our responsibility to maintain records not only for our state, but for the other states to show that the applicant has met the required four years of practical experience.

In checking with one of the participants of the reciprocal agreement, he has sent the enclosed response letter. In essence, it is covered in the last sentence "if these minimum requirements are not maintained, participation in the agreement must be terminated."

In the last two years, of the 142 applicants, 135 were approved and 6 were denied. Most of those applicants that were denied could not show proof of four years of experience required. This history of our past records show that the North Dakota State Electrical Board is very fair in our policy that is in place now. If an applicant has any questions about his denial of license, he is encouraged to provide more proof or attend a North Dakota State Electrical Board meeting.

I will take any questions at this time.



State of Idaho
DIVISION OF BUILDING SAFETY
ELECTRICAL BUREAU

277 N. 6th, Suite 101
P.O. Box 83720
Boise, ID 83720-0028

MARK KEMPTHORNE
Governor
DAVE MUNROE
Administrator

(208) 334-2183 FAX (208) 334-4891

February 23, 2001

Donald Offerdahl, Executive Director
State Electrical Board
721 Memorial Highway
P.O. Box 857
Bismarck, ND 58502



Dear Mr. Offerdahl:

In regards to your inquiry regarding electrician qualifications, in order to participate in reciprocal agreements, the qualifications of each state must meet agreed upon minimum standards to establish equivalent journeyman electrician definitions. For instance, the twelve states currently participating in the Multi-State Electrician Reciprocal Agreement have agreed upon the following minimum standard:

All parties to this Agreement shall at a minimum maintain the requirements for a journeyman electrician certificate/license as follows:

Journeyman Electrician. A journeyman electrician is a person who has qualified for a journeyman electrician certificate of competency/license (certification) by passing a mandatory examination after completion of either a four-year apprenticeship program; or four years (8000 hours) of equivalent experience as determined by the licensing state.

If these minimum requirements are not maintained, participation in the agreement must be terminated.

Please contact me if you have any questions at (208) 334-2183 ext 332.

Sincerely,

AL CAINE
Electrical Licensing Supervisor