


NORTH DAKOTA STATE ELECTRICAL BOARD

1929 N. WASHINGTON ST., SUITE A-1
 PO BOX 7335, BISMARCK, ND 58507
 701-328-9522 | FAX: 701-328-9524
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James Schmidt
 EXECUTIVE DIRECTOR

Lyle Wergeland
 DIRECTOR OF INSPECTIONS

Paula Glass
 OFFICE MANAGER

**NORTH DAKOTA LAWS, RULES & WIRING STANDARDS FOR THE
 2014 CODE**

Written Testimony to 5/30/14 Questions

1. No.
2. No.
3. North Dakota State Electrical Board Wiring Standards change along with the 3-year code cycle of the National Electrical Code. Proposals to any changes can be made immediately upon the next code cycle allowing parties approximately two years to submit any proposals or changes to the Wiring Standards. Proposals or changes are approved by the Board at their regular meeting and a hearing is scheduled and published in every newspaper in North Dakota. The public hearing is also published on our website. Written and oral comments are accepted and addressed accordingly.
4. Oral and written comments were received at the public hearing and in the time period allowed after the hearing in opposition of a proposal concerning the adoption of the 2014 National Electrical Code and 2012 edition of the Life Safety Code. This matter was addressed at a Board meeting and Special Board meeting. The Board made a decision to accept the proposal through added language allowing an exception in our Laws & Rules under Article 24-02-01-07(8). Branch Circuit and Feeders (pages 55-56). Oral and written comments were received from interested parties in favor and opposition on Article 24-02-01-03(6) (page 51), in which adding "metal cable (MC) rated for the environment" along with metal raceways shall be installed in certain occupancies. The Board made a decision to accept the proposal. Oral comment was received at the public hearing in opposition of a proposal on Article 24-02-01-12 (page 59) concerning adding "or listed devices." The Board made a decision to reject the proposal. Oral comment was received at the public hearing in opposition of a proposal on Article 24-02-01-19(2) and 24-02-01-19(5) (pages 73-74) concerning increasing the minimum job cost. The Board made a decision to reject the proposal as it is set by statute.
5. Advertising public notice in all newspapers cost \$1,563.30. The hearing lasted approximately one and a half hours.
6. North Dakota State Electrical Board Wiring Standards are consistent the adoption of the National Electrical Code, which is based on a 3-year cycle. Adoption of the electrical code requires a formulated and consensus process.
7. No.



8. No.

9. No.

10. No.

11. No.

Paula Glass

Subject: FW: Administrative Rules

From: -Adm-Legislative Council [<mailto:lcouncil@nd.gov>]

Sent: Friday, May 30, 2014 3:58 PM

To: Sando, Todd S.; Anderson, Maggie D.; Leer, Julie P.; James Schmidt; LaCour, Gunner; Sterioti Hammeren, Laurie; ndbce@btinet.net; ndbace@aptnd.com; candie@ndpelsboard.org

Cc: Walstad, John M.

Subject: Administrative Rules

ADMINISTRATIVE RULES COMMITTEE MEETING

The Legislative Management's Administrative Rules Committee reviews all rules recently adopted by administrative agencies. The committee will hold its next meeting on Wednesday, June 11, 2014, in the Roughrider Room, State Capitol.

You are invited to appear before the committee and describe the procedure followed by your agency in adopting the rules published in the July 2014 supplement to the North Dakota Administrative Code.

A copy of the agenda can be found at <http://www.legis.nd.gov/assembly/63-2013/interim/15-5109-02000-meeting-agenda.pdf> for your reference. Please note the time on the agenda scheduled for your presentation. If you or a representative are unable to appear at that time, please notify me as soon as possible.

With respect to the rules published in the July 2014 supplement, the committee is interested in and would like you to testify before the committee concerning the following matters:

1. Whether the rules resulted from statutory changes made by the Legislative Assembly.
2. Whether the rules are related to any federal statute or regulation. If so, please indicate whether the rules are mandated by federal law or explain any options your agency had in adopting the rules.
3. A description of the rulemaking procedure followed in adopting the rules, e.g., the type of public notice given and the extent of public hearings held on the rules.
4. Whether any person has presented a written or oral concern, objection, or complaint for agency consideration with regard to these rules. If so, describe the concern, objection, or complaint and the response of the agency, including any change made in the rules to address the concern, objection, or complaint. Please summarize the comments of any person who offered comments at the public hearings on these rules.
5. The approximate cost of giving public notice and holding any hearing on the rules and the approximate cost (not including staff time) of developing and adopting the rules.
6. An explanation of the subject matter of the rules and the reasons for adopting those rules.
7. Whether a regulatory analysis was required by North Dakota Century Code (NDCC) Section 28-32-08 and whether that regulatory analysis was issued. Please provide a copy.
8. Whether a regulatory analysis or economic impact statement of impact on small entities was required by NDCC Section 28-32-08.1 and whether that regulatory analysis or impact statement was issued. Please provide copies.
9. Whether these rules have a fiscal effect on state revenues and expenditures, including any effect on funds controlled by your agency. If so, please provide copies of a fiscal note.

10. Whether a constitutional takings assessment was prepared as required by NDCC Section 28-32-09. Please provide a copy if one was prepared.
11. If these rules were adopted as emergency (interim final) rules under NDCC Section 28-32-03, provide the statutory grounds from that section for declaring the rules to be an emergency and the facts that support that declaration and provide a copy of the Governor's approval of the emergency status of the rules. If these rules were adopted as emergency (interim final) rules, what steps were taken to make the rules known to persons who can reasonably be expected to have a substantial interest in the rules?

Please provide the committee with **written** testimony.

The July 2014 rules of your agency can be found at <http://www.legis.nd.gov/admcode/arc201407353.pdf> in the form they will be presented to the committee at the meeting. The page numbers should be used as references for the committee because committee members will have pages with the same numbering. Please contact this office if you have any questions.

JOHN WALSTAD - CODE REVISOR

JW/BM

PROPOSED CHANGES TO THE ADMINISTRATIVE RULES OF THE 2014 NORTH DAKOTA WIRING STANDARDS

INSTRUCTIONS PLEASE READ CAREFULLY

Type or print in black ink. Use a separate copy for each proposal. Limit each proposal to a SINGLE section. All proposals must be received by the North Dakota State Electrical Board by 2/28/13 at 5:00 p.m. to insure that they be included on the original proposed draft copy for administrative hearing. The North Dakota State Electrical Board will hold a public administrative hearing on the proposed changes. Time and place to be announced at a later date.

Date February 28, 2013

Name North Dakota State Electrical Board

Home Phone (N/A)

Work Phone (701) 328-9522

Street Address P.O. Box 7335

City Bismarck

State North Dakota

Zip 58507

Please indicate organization represented (if applicable) (N/A)

1. Section/Paragraph 24-02

2. Proposal recommends (check one) new text revised text deleted text
[] [X] []

3. Proposal (include proposed new wording or identification of wording to be deleted):

Adopt NFPA 70 2014 2014 edition National Electrical Code and NFPA 101 2009 2012 edition Life Safety Code, except if articles are specifically amended.

4. Statement of problem and substantiation for proposal:

To keep current on national electrical codes.

_____ (Signature)

MAIL TO: North Dakota State Electrical Board, PO Box 7335, Bismarck ND 58507.

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Date February 28, 2013

Name Mitch Feininger / Dave Paul

Home Phone (NA)

Work Phone (701) 328-9522

Street Address P.O. Box 7335

City Bismarck

State North Dakota

Zip 58507

Please indicate organization represented (if applicable) (N/A)

1. Section/Paragraph 24-02-01-03 (6)

2. Proposal recommends (check one) new text revised text deleted text
[checked box] [empty box] [empty box]

3. Proposal (include proposed new wording or identification of wording to be deleted):

Metal raceways or metal cable (MC) rated for the environment shall be installed in the following occupancies:

4. Statement of problem and substantiation for proposal:

Listed products are now available for these locations and to be uniform with the NEC.

_____ (Signature)

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PROPOSED CHANGES TO THE ADMINISTRATIVE RULES OF
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“9”

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Date February 28, 2013

Name Mitch Feininger / NDSEB

Home Phone (701) 677-5527

Work Phone (701) 328-9522

Street Address P.O. Box 7335

City Bismarck

State North Dakota

Zip 58507

Please indicate organization represented (if applicable) (N/A)

1. Section/Paragraph 24-02-01-12

2. Proposal recommends (check one) new text revised text deleted text

3. Proposal (include proposed new wording or identification of wording to be deleted):

Not more than one extension ring may be used on outlet boxes unless special permission has been obtained from the electrical inspector having jurisdiction. Boxes, ~~or~~ conduit bodies or listed devices shall be installed at each opening, splice,

4. Statement of problem and substantiation for proposal:

Modular homes that come in 2 parts (building sections) have splices that are listed for splicing non-metallic sheathed cables.

_____ (Signature)

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Date February 28, 2013

Name Gary Ternes

Home Phone (701) 258-7872

Work Phone (701) 258-7872

Street Address 4660 W. Roundup Rd

City Bismarck

State North Dakota

Zip 58503

Please indicate organization represented (if applicable) (N/A)

1. Section/Paragraph 24-02-01-19(2)/24-02-01-19(5)

2. Proposal recommends (check one) new text revised text deleted text

3. Proposal (include proposed new wording or identification of wording to be deleted):

Before work commences on any electrical installation where a new entrance is installed, an existing entrance is altered or repaired, a building is moved, where a mobile home feeder is installed, or where the cost of the repair work or additional installation exceeds ~~three~~ seven hundred fifty dollars, the master or class B

Up to ~~\$300.00~~ \$750.00 . . .

~~\$300.00~~ \$750.00 to \$3,000.00 . . . \$25.00 for the first ~~\$300.00~~ \$750.00 . . .

4. Statement of problem and substantiation for proposal:

To keep up with current job costs.

_____ (Signature)

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