

1999 SENATE TRANSPORTATION

SB 2442

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2442

Senate Transportation Committee

Conference Committee

Hearing Date April 6, 1999

Tape Number	Side A	Side B	Meter #
April 5 - Tape 1	x		1-End
Committee Clerk Signature <i>Rori A. Schaeffbauer</i>			

Minutes:

SENATOR B. STENEHJEM opened the hearing on SB 2442. Committee members present included: Sens. Bob Stenehjem, R. Schobinger, D. Mutch, D. Cook, D. O'Connell, and V. Thompson. Senator Bercier was absent.

DON OFFERDAHL testified in support of SB 2442. Section 1 is not the language we presented. Section 2, the intent is there but one of the things on line 24 the first intent was to show proof to the board because there are some cases that we wouldn't want licensed. This was brought up because last Tuesday the Grand Forks Chamber of Commerce had a meeting with different people involved in the construction industry. One of the questions was 'what is the board doing to be active in construction trade'. Before this came up, we had talked about a reinstatement at some time. SB 2442 enables electricians that we're working with in other states to reinstate the ND electrical license without retaking the exam. We were one of the first states to start

continuing education classes, but some other states do not have it. When construction was low here, people went to work in Washington and Oregon and other states and they did not renew their ND license. We are involved in a multistate reciprocal agreement so if they take their classes in another state and it is approved by the state in the reciprocal agreement, we will accept that approval. The inquiries we are getting from other associations tell us that if we relax on this we will get electricians coming back. The electrical board should consider that as a one time deal. The Grand Forks situation is looking at all areas of electrical experience. If these people got their license back, it would help out the situation. The part added "except railroad operations located in railroad right of ways" on page 1, line 8 was submitted by railroad employees. They are telling us that unlicensed people are doing their electrical work and they don't have the knowledge of all of the rules in the electrical code. I'd like to make an amendment to strike that from the bill. The aluminum buildings and the cross arms at the intersections should be wired properly because they are in contact with the people. We ask that those people are licensed to do that.

SENATOR B. STENEHJEM What is the cost of the electrical license?

DON OFFERDAHL A journeyman is \$25 a year.

SENATOR B. STENEHJEM Does Section 2 only address journeyman?

DON OFFERDAHL Journeyman and master electricians which is \$50 and Class B is \$40.

SENATOR B. STENEHJEM If I have a master electrician license in ND and move, can I keep up my ND license by paying that \$50 or do I have to be actively working in ND.

DON OFFERDAHL You need to have six hours of continuing education per year every time you renew your license.

SENATOR B. STENEHJEM Can I do it in another state?

DON OFFERDAHL Yes, we have the wordage that if you are in the multistate agreement (14 states) then we will accept those. If you are working in another state not in the agreement and it is approved by the authority having jurisdiction in that state and they can prove it, we will accept it.

SENATOR B. STENEHJEM If I have a ND license, can I work in ND?

DON OFFERDAHL We have a reciprocal agreement with MN, yes.

SENATOR B. STENEHJEM I wouldn't have to have two license and pay for both.

DON OFFERDAHL No, you would have to pay in both states. You can drop your one from MN and get it back again as long as you keep the one where you were tested at.

SENATOR B. STENEHJEM You were concerned in Section 2 that you didn't want someone who was dismissed as an electrician for misconduct to be able to come in and get there license back. But on line 21 takes care of that.

SENATOR SCHOBINGER How many previously had licenses prior to April 1, 1990 and failed to past the test?

DON OFFERDAHL This lets them show their competence of passing the test one time and obtaining the license.

SENATOR SCHOBINGER That's probably a scenario that wouldn't arise if this would pass.

DON OFFERDAHL No.

SENATOR O'CONNELL How many people would this bring back to the work force?

DON OFFERDAHL Between 50 and 120.

SENATOR O'CONNELL How many licensed people do we have now?

DON OFFERDAHL 600 Masters, 1800 Journeyman and 50 Class B's.

SENATOR COOK Do you have a list of the 14 states we have reciprocal agreements with?

DON OFFERDAHL Yes.

SENATOR COOK Is that a growing number?

DON OFFERDAHL Yes.

SENATOR COOK What is keeping us from reciprocal agreements in all the states?

DON OFFERDAHL Some states don't have statewide licensing. In the east, they have townships or counties. One goes from county to county.

SENATOR COOK Washington and Oregon have reciprocal agreements with us. This bill will not apply to any electrician who left ND and went to Washington and Oregon because they have reciprocal agreements with us.

DON OFFERDAHL No, they only took their test in ND so they reciprocate one way and they can't reciprocate back again. It is the same with the other states. Part of it is to show your competence.

SENATOR COOK If somebody gets their license in Washington, we will allow them to come to ND but if someone gets their license in ND and moves to Washington we would not bring them back.

DON OFFERDAHL They would have to keep their ND license current. They could drop it for three years but they would have to reinstate it.

SENATOR COOK That is a decision you are making at the State Electrical Board.

DON OFFERDAHL That is a decision in this Chapter 43-09-21 I believe.

SENATOR B. STENEHJEM If I have a ND license, I could go to Washington state and work forever as long as I keep my ND license up and the 6 hours of continuing education. Correct.

DON OFFERDAHL Correct.

SENATOR B. STENEHJEM A person from Washington state could come into ND and work under their Washington license as long as they met the requirements for a license in Washington.

DON OFFERDAHL They would apply for their license here and would have to obtain their license here.

SENATOR B. STENEHJEM Would I have to obtain a Washington license if I was from ND working in Washington state?

DON OFFERDAHL Yes.

SENATOR B. STENEHJEM They don't have to take the test but they do have to keep a license for whatever state they are working in. What is the reinstatement fee?

DON OFFERDAHL \$25

SENATOR COOK Why before April 1, 1990?

DON OFFERDAHL It is the effective date for continuing education in 43-09-15.1.

SENATOR COOK So if someone receives their license after April 1, 1990 and left the state and wants to come back then this does not apply to them.

DON OFFERDAHL If you wanted to change that, I wouldn't have a problem with that.

SENATOR COOK Are our reciprocal agreements with any other states in the Century Code?

DON OFFERDAHL Yes, 43-09-25.

SENATOR COOK Do we have any type of agreements with electricians from Canada?

DON OFFERDAHL Not that I'm aware of. They fall under the apprenticeship ratio because there is two different codes between here and Canada.

SENATOR COOK Do they have master electricians in Canada?

DON OFFERDAHL I don't know.

SENATOR COOK Can someone from Canada come down here and take the test to be a master electrician and use their years of service as a master electrician and qualify themselves as a master electrician in ND?

DON OFFERDAHL There are some immigration rules that says you can't come down here and contract. We haven't had any requests for that. We do have journeyman come down here, such as in Grand Forks. They get their license through Washington, we've licensed them through a reciprocal agreement.

TOM TUPA, NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION testified in support of Section 2. We weren't aware of the first section.

SENATOR B. STENEHJEM Would you have any problem if the dates April 1, 1990 are stricken?

TOM TUPA I'd have to run it by the executive if Fargo.

RENAE PFENNING, ND ELECTRICAL WORKERS COUNCIL testified in support of Section 2.

AL WOLF, ASSISTANT ATTORNEY GENERAL FOR STATE ELECTRICAL BOARD testified in support of SB 2442. We had drafted this bill to go under 43-09-14 which is the renewal of license. Section 1 was not in the bill when we drafted it. If someone looks under the renewal of licensing in the Century Code this won't be there. I don't know how Section 1 got

into the bill. The ND State Electrical Board had no intention of exempting the railroad right away. The administrative code which was adopted by the North Dakota State Electrical Board and approved by the overseer committee was printed as the laws and rules and standards of the state of ND. Subsection 4 of Section 24-02-01.02 of the ND Century Code in paragraph 4 indicates the purpose of the standards.

SENATOR B. STENEHJEM When was that adopted?

AL WOLF It was amended and readopted as of January 1, 1999.

There was committee discussion.

SENATOR B. STENEHJEM When were the railroads added?

AL WOLF January 1, 1999.

SENATOR B. STENEHJEM I sit on the administrative rules committee and we have not heard that administrative rule.

There was committee discussion.

AL WOLF It is subject to review by the Legislative Oversight Committee. There was one other change on line 24. The language is acceptable although it is somewhat different.

SENATOR B. STENEHJEM Would you have a problem if starting on line 20 it read "license under Chapter 43-09 whose license was not renewed because of failure to fulfill continuing education requirements under 43-09-15.1". It means we will overstrike "before April 1, 1990" and strike "between April 1, 1990 and March 31, 1998".

AL WOLF I wouldn't have a problem except for those who let it lapse for three years and then be reinstated. They can be reinstated for three of those years. If you want to be consistent go to March 31, 1995 through 1998. Then they can be reinstated without this act.

SENATOR B. STENEHJEM If they can be reinstated without this act then this bill wouldn't apply to them and they can be reinstated today now. You will just add those people that have fallen within that time frame.

SENATOR B. STENEHJEM Would you have a problem if we took those dates of reference out of there?

DON OFFERDAHL I wouldn't have a problem with that but we need to, on page 2, line 5, change March 31, 1998 to March 31, 1999.

SENATOR B. STENEHJEM You don't have to allow them to get a license because they are incompetent but only because they haven't taken their continuing education. You still may do it; you don't have to do it.

SENATOR SCHOBINGER Why not just after April 1, 1990 and be done with it?

SENATOR COOK Someone licensed in ND can get a Washington license through the reciprocity and keep up their ND license so they have two licenses if they are willing to keep up the continuing education. Or they could drop the ND license and just keep the Washington license. If they did the latter and want to come back to ND the reciprocity agreement will not apply to them, correct?

DON OFFERDAHL Correct.

SENATOR COOK When they let go of a ND license and obtain a Washington license are they not licensed by another state?

DON OFFERDAHL That is correct, but under the reciprocal agreements from other states, the only way they will grant a reciprocal agreement is that they were tested in that state, have a passing grade and had it for one year. The reason for that is because electricians hop around

from state to state. So keep it simple, you don't drop your own state; you can drop the other ones but not your home state.

There was a committee discussion.

DON OFFERDAHL Exempting the railroads was a proposal from the railroad people. They are not licensed and are not grounding properly in some cases. On the railroads, there are some people do the wiring that are not electricians.

There was committee discussion.

CLYDE WETSCH testified in support of Section 2. Getting skilled craftsmen is a problem in other areas besides Grand Forks. Hopefully, this will get more skilled craftsmen here.

SENATOR O'CONNELL Why do you want to bring more workers in when you're getting all this overtime?

CLYDE WETSCH You don't. People don't want to pay the overtime. It's early in the year and I can see an upcoming labor shortage.

MIKE HEID testified in support of Section 2. I'm a licensed electrician. Many workers have neglected to keep their state license up and this would allow them a window of opportunity to come home and regain their state license.

RICHARD ELKIN, BNSF RAILROAD testified in support of Section 1. Section 1 is included in the bill at my request. There are two kinds of signals (1) the gates and lights at crossings and (2) the arms that are green, yellow and red-the work on all of those signals has been done by our signal crew. A good number of signal men are hired to work on those as well as the gates and lights if there is a malfunction. Most of the signal people are not journeyman or master electricians, but they have been doing that work for a hundred years and I have never heard them

complain. All standards for signal people meet the Federal Railroad Administration standards.

The head of our signal department doesn't like this particular rule.

SENATOR THOMPSON The silver huts are within the railroad right of way.

RICHARD ELKIN Yes and we do have some signal people that are licensed and when they are energized with electricity the signal people are working in the presence of an electrician.

However, sometimes a gate gets locked in the down position and then somebody has to get out there fast. Then they may not be accompanied by an electrician.

SENATOR THOMPSON The only time the master electricians might be out there is when you get electricity hooked up.

SENATOR O'CONNELL You can live with this language.

RICHARD ELKIN I like this part.

TOM KELSCH, CANADIAN PACIFIC RAILROAD We didn't receive any notice. We support Section 1 and I don't know of any accident that has occurred because of faulty wiring done by our signal people.

SENATOR B. STENEHJEM In Section 2, page 1, line 20, are you satisfied if we strike out the date? Page 2, line 4, make it after April 1, 1990? Is that what you're looking for?

DON OFFERDAHL Yes. In Section 1, the initial hook up should be done by an electrician. The rest is just maintenance.

SENATOR SCHOBINGER You would still support this with Section 1.

DON OFFERDAHL Yes.

SENATOR THOMPSON Under Section 1, would that include depots and rail yard repairs?

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Senate Transportation Committee
Bill/Resolution Number Sb 2442
Hearing Date April 5, 1999

RICHARD ELKIN If there were something done where we have buildings, any remodeling would be done by master electricians. The work where the master electrician is not always present is repairs on signals that belong to us or gates.

SENATOR THOMPSON I just want it to be clarified enough.

SENATOR B. STENEHJEM We will close the hearing on SB 2440.

APRIL 6, 1999 - Tape 1

SENATOR B. STENEHJEM proposed amendment 90848.0201. They take the dates out.

SENATOR COOK Page 1, line 21, there is no "before".

SENATOR B. STENEHJEM We will take care of that word.

SENATOR O'CONNELL I move the amendments 90848.0201 with the correction.

SENATOR SCHOBINGER I second.

There was committee discussion.

The amendments 90848.0201 passed unanimously.

SENATOR O'CONNELL I second.

Senator Thompson will carry SB 2442.

90848.0201
Title.

Prepared by the Legislative Council staff for
Senator B. Stenehjem
April 5, 1999

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2442

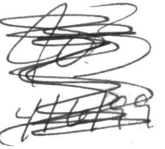
Page 1, line 20, remove "before April 1, 1990," and remove "between"

Page 1, line 21, remove "before April 1, 1990, and March 31, 1998,"

Page 2, line 4, remove "between April 1, 1990, and March 31,"

Page 2, line 5, remove "1998"

Renumber accordingly



PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2442

Page 1, line 20, remove "before April 1, 1990," and remove "between"

Page 1, line 21, remove "April 1, 1990, and March 31, 1998,"

Page 2, line 4, remove "between April 1, 1990, and March 31,"

Page 2, line 5, remove "1998"

Re-number accordingly

Date: 4/05/99

Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2442

Senate Transportation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken No Pass as Amended

Motion Made By Sen. O'Connell Seconded By Sen. Cook

Senators	Yes	No	Senators	Yes	No
Sen. B. Stenehjem-Chairman	✓				
Sen. R. Schobinger-V. Chair	✓				
Sen. Duane Mutch	✓				
Sen. Dwight Cook	✓				
Sen. David O'Connell	✓				
Sen. Vern Thompson	✓				
Sen. Dennis Bercier					

Total (Yes) 6 No 0

Absent 1

Floor Assignment Senator Thompson

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

REPORT OF STANDING COMMITTEE

SB 2442: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). placed on the Sixth order on the calendar.

Page 1, line 20, remove "before April 1, 1990," and remove "between"

Page 1, line 21, remove "April 1, 1990, and March 31, 1998,"

Page 2, line 4, remove "between April 1, 1990, and March 31,"

Page 2, line 5, remove "1998,"

Renumber accordingly

1999 HOUSE TRANSPORTATION

SB 2442

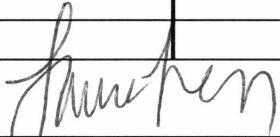
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2442

House Transportation Committee

Conference Committee

Hearing Date April 7, 1999

Tape Number	Side A	Side B	Meter #
2	x		0-60
Committee Clerk Signature 			

Minutes:

CHAIRMAN KEISER OPENED THE HEARING ON SB 2442; A BILL RELATING TO ELECTRICAL INSTALLATION INSPECTIONS; TO PROVIDE FOR THE ELECTRICIAN LICENSE REINSTATEMENT REQUIREMENTS; TO PROVIDE AN EXPIRATION DATE; AND TO DECLARE AN EMERGENCY.

RICHARD ELKIN, Burlington Northern Santa Fe Railway testified in support of SB 2442. He said that they had asked for Section One to be added in. He knew nothing about Section two.

This bill required all signal work to be done on railways to be done under the supervision of a Master electrician. We do have some of the same electricians as the SEB but the signal work is really done on a routine basis and it is not done under supervision. We are talking about lots of lights and it is not possible for us to provide that kind of supervision.

REP. THORPE asked what the new rule was.

RICHARD said that the SEB adopted this clarification late last year, but they were not told of it until March 10.

REP. BELTER asked if the Electrical Board told the Railroad that they were making the changes.

RICHARD said that a legal notice was placed in the newspaper but nothing personally.

CHAIRMAN KEISER asked if the language added represents more than safety.

RICHARD said _____

CHAIRMAN KEISER asked if the maintenance can be done by a switchman.

RICHARD said yes, but if it is installed, it has to be done by a master electrician.

TOM KELSCH, Attorney for Canadian Pacific Railroad testified in support of SB 2442. He added that they supported Burlington Northern's position on the bill. They too were in favor of Section one.

CHAIRMAN KEISER asked how the federal guidelines work versus the state's.

TOM said that they follow the federal guidelines and have never had any problem.

DON OFFERDAL, State Electrical Board, testified in support of SB 2442. (See attached testimony).

REP. MICKELSON questioned Section 2. He asked if there are any other groups in the state of North Dakota that we do this for, just bringing them back on without having to take the exam?

DON said no, but this is different as it is just a one time deal.

REP. MICKELSON said that he understood that but further asked if it then is a true measure or if the license that you receive in our state is comparable to that of other states.

Page 3

House Transportation Committee

Bill/Resolution Number sb 2442

Hearing Date April 6, 1999

DON said yes, that he believed it to be a true measure and North Dakota does in fact have a reciprocal agreement with 12 or 13 other states relating to licenses.

REP. BELTER asked when they realized that this was a problem.

DON said that during the flood of 1997 was when it first came to light. Now lots of people are proactive in this issue and we decided, let's do something.

REP. KEMPENICH asked why the expiration date was in place.

DON said that the Board preferred it that way. It allows the license to need renewal in only 3 years or it will lapse. It presents a good situation for all.

CHAIRMAN KEISER questioned an area of the bill referring to being "substantially involved in the electrical industry." How will that be determined?

DON said that they would have to prove that to the Board. That will be up to the Board's discretion.

REP. WEISZ referred to Section 1 and noted that it has been around for hundreds of years. Has there ever been a case of injury or fatality due to this?

DON said no, not to his knowledge. He credited the safety and inspection of the Railroad and their precautionary actions to this.

REP. WEISZ further asked why then they were presenting the bill.

DON said it was for clarification purposes.

REP. MICKELSON asked Don if it crossed his mind to tell the Railroads about the suggested changes.

DON said that they did do it in newsletters and that their electricians are ours. They felt that they did tell them, but maybe they didn't tell the correct person.

REP. MICKELSON noted that that was not acceptable. He added that you have to be responsible to alert others involved. No one was going to buy into the newsletters and relying on a stuffed newspaper. It is incumbent upon them to alert others involved.

CHAIRMAN KEISER questioned subsection 3 of Article 90. Why not just adopt that?

DON said that they can, but this bill still provides more clarification.

CHAIRMAN KEISER asked what the Railroads are concerned about.

DON said that he didn't know.

REP. BELTER asked if we are doing this in a safe manner.

DON said that he thinks that the Board has made sound decisions in the past. What isn't cleaned up now will be taken care of in Administrative Rules.

REP. PRICE referred to Section 2 and asked where the shortage of workers was, in the Journeymen or the Masters. What is the ratio also?

DON said that there are 600 Masters and there is no ratio between them and the Journeymen. Journeymen are those who have shown four years of electrical skill and apprentices are just learning the trade. The ratio of apprentices to Journeymen is three to one.

REP. THORPE asked if this bill is for continuing education.

DON said yes.

REP. THORPE further asked if they were also asking for Section 1 when it was drafted.

DON said no, that it was a surprise.

REP. KEMPENICH questioned part of the letter from the electrical foreman.

DON was unable to answer the question.

AL WOLF, State Electrical Board, testified in support of SB 2442. He also was against Section One. He said that something needed to be done with that section since the State Electrical Board has no jurisdiction in that area. He offered two sets of amendments.

REP. KEMPENICH mentioned adopting the National Code so it wouldn't be the law of the land. Have you looked into that?

AL said that it is in the Code and it has been adopted.

DAVID KEMNITZ, Electrical Journeyman, testified in support of SB 2442. He said that two most important rules of the railroad are to protect life and property. He too was against Section One.

REP. MICKELSON asked Dave if he accepted Section Two.

DAVID said yes.

REP. MICKELSON further asked if he realized that arguing against Section One can be used against him in Section Two.

DAVID explained that it is all in how you look at it.

CHAIRMAN KEISER CLOSED THE HEARING ON SB 2442. REP. WEISZ moved a DO PASS on SB 2442. REP. BELTER seconded the motion. The motion carried.

ROLL CALL - 9 YEA, 5 NAE, 1 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. WEISZ

Date: 4/7/99
 Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2442

House Transportation Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep Weisz Seconded By Rep Belter

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair		X	Representative Thorpe		X
Representative Mickelson, V. Ch.	X				
Representative Belter	X				
Representative Jensen	X				
Representative Kelsch	X				
Representative Kempenich	X				
Representative Price	X				
Representative Sveen		X			
Representative Weisz	X				
Representative Grumbo	X				
Representative Lemieux		X			
Representative Mahoney					
Representative Meyer	X				
Representative Schmidt		X			

Total (Yes) 9 No 5

Absent Rep Weisz

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE (410)
April 7, 1999 9:14 a.m.

Module No: HR-63-6708
Carrier: Weisz
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2442, as engrossed: Transportation Committee (Rep. Keiser, Chairman) recommends DO PASS (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2442 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY

SB 2442

SENATE BILL 2442

Chairman Stenehjem and other Committee members:

For the record, my name is Don Offerdahl I am the Executive Director of the State Electrical Board.

Senate Bill 2442 would enable electricians that were working in another state in the early 90's to reinstate their North Dakota electrical license without retaking the exam.

North Dakota was one of the first states to have continuing education. It has shown to be successful by the comments we have received from the electricians working in the industry. At the same time this was introduced into law, construction was low in the state of North Dakota and electricians traveled to other states to make a living. Some other states did not have continuing education at the time, the thoughts of many electricians in this scenario were that they would not need their North Dakota license anymore for they thought that they would not work in North Dakota again.

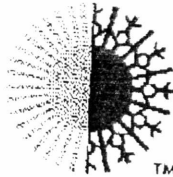
As you know, construction has been increasing in the past few years and there have been some inquiries for reinstatement procedures from those electricians. This is especially true in the eastern part of the state where Minnesota just two years ago enacted continuing education.

This bill would enable the North Dakota residents and once licensed electricians, after showing proof of licensing in another state, the chance to reinstate their license. This would be for a one-year period allowing us to contact the different organizations to notify the people involved.

Enclosed are letters from several electrical associations in favor of this bill.

I urge a DO PASS.

Grand Forks



Chamber of Commerce

April 5, 1999

Mr. Don Offerdahl,
 Executive Director
 North Dakota State Electrical Board
 721 Memorial Highway
 PO Box 857
 Bismarck, ND 58502

Dear Don:

This is in response to my conversation today with Mr. Al Wolfe regarding the labor concerns in the Grand Forks region. As you know, Congressman Earl Pomeroy and the Grand Forks Chamber of Commerce held a labor summit here last week to discuss labor shortage issues including skilled trades and immigration concerns. Representatives from the Department of Labor in Washington and Denver along with Immigration and Naturalization officials from Lincoln, NE were here to meet with business and industry officials.

Since the April 1997 flood, Grand Forks has been faced with considerable adversity trying to rebuild from the estimated \$1 billion in losses. Trying to secure the necessary help to assist in the reconstruction has been a tremendous challenge to certain trades. Electrical, sheet metal, general construction and other industries have had to scramble to meet labor force needs. Two years later, we have in excess of \$300 million of new construction in various stages of development now. Leon Comeau, Comeau Electric reported last week his employees are working a 7-10 shift. This means seven days a week and ten hour days! Without available skilled workers in the region, redevelopment is delayed. Trying to secure available workers from Canada has been a challenge, too, with INS rules and regulations. Businesses are having to commit considerable resources to pursue Canadian help.

The Grand Forks region welcomes assistance which will provide well qualified workers to meet the tremendous demand we are experiencing as we continue to rebuild. Don, if you have any questions, please call Dave McFarlane, McFarlane Sheet Metal, chair of the Chamber's Workforce Development Immigration & Refugee Subcommittee, 772-9511 or myself. Thank you for your interest and support.

Sincerely yours,

Bob Gustafson
 Bob Gustafson, COE
 President

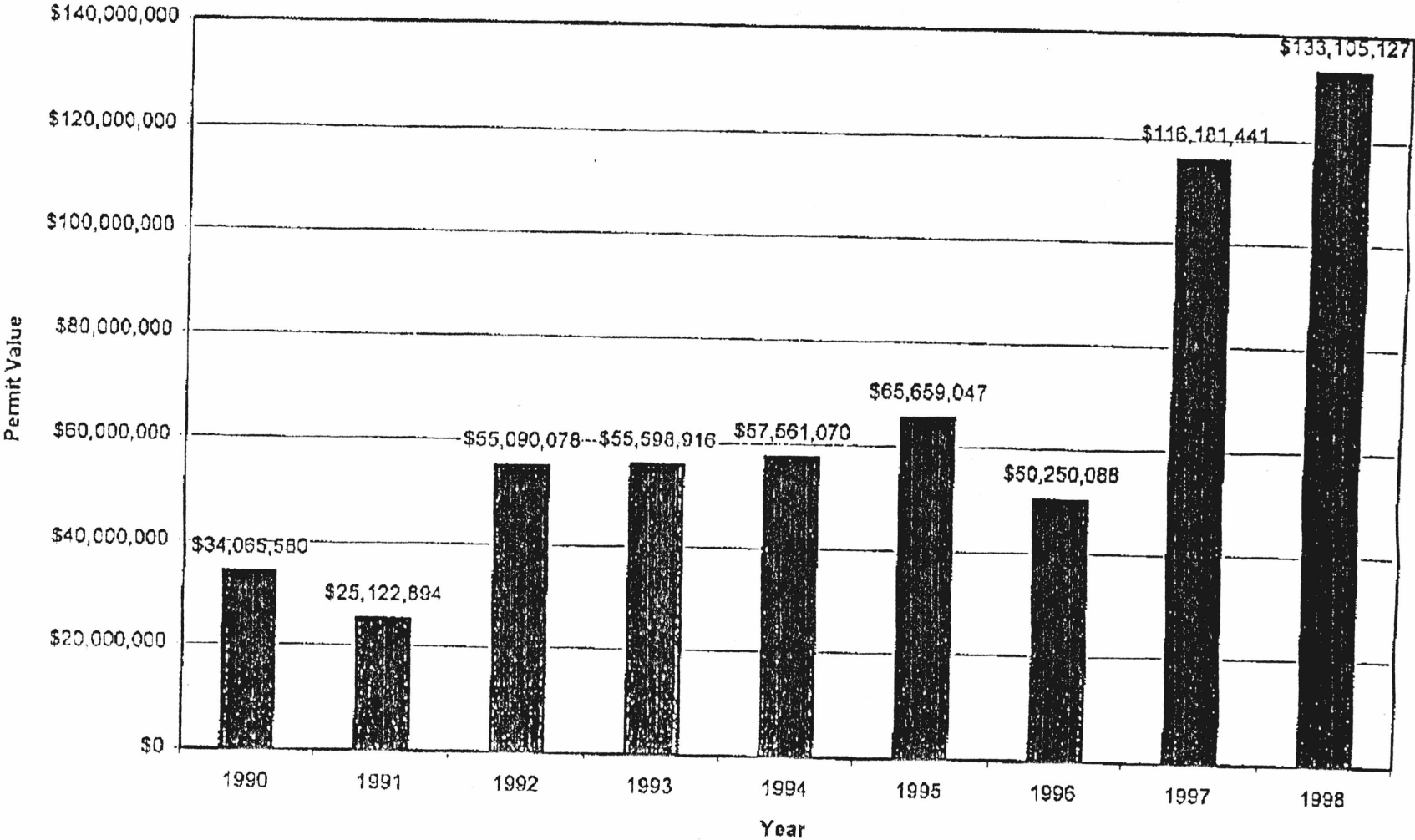


Planning

YEARLY BUILDING PERMIT REPORT

YEAR	NEW							REPAIR-ADDITIONS						JAN. 1999	
	DWELLING SINGLE	TOWN HOUSE	DWELLING MULTIPLE	GARAGE	COMM'L	OTHER	PUBLIC	DWELLING	COMM'L	PUBLIC	OTHER	MOVE DWELLING	DEMO DWELLING	TOTAL VALUE	TOTAL # PERMITS
	# PERMITS	# PERMITS	# PERMITS	# PERMITS	# PERMITS	# PERMITS	# PERMITS	# PERMITS	# PERMITS	# PERMITS	# PERMITS	OTHER	OTHER		TOTAL UNITS
1989	7,511,005 84	580,698 6 12	3,020,000 6 136	289,330 80	7,691,569 8	380,433 43	29,644 1	1,475,745 412	5,698,843 155	518,874 10	106,156 41	6 20	7 22	27,308,395	888
1990	5,749,389 52		188,000 1 4	241,215 49	8,168,083 17	267,057 40	7,159,301 5	1,630,558 458	7,188,725 183	3,386,572 7	86,680 36	4 14	2 7	34,065,580	885
1991	5,504,054 61	484,152 5 10	677,240 4 20	332,030 67	4,902,380 15	785,174 46		1,452,145 367	10,825,404 177		60,305 48	4 15	7 7	25,122,894	823
1992	8,852,117 86	1,647,744 16 32	2,907,000 1 112	395,843 73	8,535,465 18	257,485 30	3,100,000 3	2,017,114 453	8,022,989 137	19,152,371 15	112,150 31	2 22	7 11	55,090,078	93
1993	10,768,288 112	512,104 5 10	6,389,000 13 191	318,867 60	8,420,250 14	1,025,843 43	4,170,000 3	2,175,775 474	13,120,207 185	8,574,154 9	107,428 47	5 10	2 15	55,598,815	283
1994	7,070,516 85	5,444,076 89	1,100,000 1 19	382,176 72	13,536,897 22	784,725 41	0,925,348 5	2,733,458 532	16,027,012 162	1,341,091 10	235,772 51	4 22	6 12	67,551,070	1,115
1995	5,622,868 55	2,383,932 36	12,244,720 10 352	358,675 60, 1FF	6,051,859 25, 5FF	248,955 32	4,685,334 6	3,112,109 601	22,270,441 185, 3FF	8,589,423 20	112,631 36	2 21	4 14	86,659,047	1,115
1996	5,041,190 54	3,480,692 50	2,729,160 8, 2FF 59	380,445 72, 1FF	17,703,903 17, 5FF	845,879 35, 2FF	1,021,963 4	4,615,301 1426	11,859,802 178	1,994,550 20	477,113 84, 2FF	5 14	10 22	50,250,088	2,017
1997	19,447,398 254	3,171,840 57	4,739,470 7, 1FF 93	314,670 41, 5FF	17,818,123 23, 14FF, 1 FW	1,998,094 22, 1FF	8,512,190 6, 2FF	17,880,580 3003	27,353,481 478, 2FF	14,870,000 82, 1FF	79,485 30	8 15	101 29	116,181,441	4,154
1998	8,275,977 99, 3FF	4,447,848 69	1,974,060 3, 3FF 35	385,035 55, 10FF	36,544,695 29, 10FF	1,173,743 41, 2FF, 4XM 3GH	42,715,822 8, 3FF	6,648,091 1,361	15,982,259 207, 3FF	13,534,518 21	442,879 35	17 81	383 61	133,105,127	2,510
1999				6480 1	445,000 2		11,036,780 1, 1GH	571,841 104	1,844,200 34	3,629,252 10		4 3		17,534,563	203
PERCENT	0%	0%	0%	2%	7%	0%	13%	8%	16%	48%	3%	24%	0%	13%	5%
												4%	0%		0%

Building Permit Values



Refugees become members of GF work force

■ Labor Force Summit will discuss refugees and labor today

By Dorreen Yellow Bird
Herald Staff Writer

Grand Forks business and community leaders are looking to refugees as a way to repopulate the area and supplement the growing need for a work force.

They are finding that the refugee population is a good source for the work force.

These leaders will meet in a Labor Force Summit scheduled for 10:30 a.m. today in the Town House Motor Inn to discuss these issues.

Upon arriving in North Dakota, refugees find employment within three months, according to ViAnn Olson, coordinator for the Grand Forks Refugee Resettlement Coalition.

"They work hard," she said.

And it's a myth that most refugees end up on welfare, said Don Snyder, refugee administrator for North Dakota Human Services Department.

Even though they are eligible for welfare, medical assistance and food stamps, most of

the time the refugees don't ask for it. Ninety-two percent are employed within a short time, he said.

Snyder said it is not true that the refugees are cut off services after eight months. They receive a special federal assistance for eight months called the Refugee Cash assistance program. Then they are just like any other person needing assistance. If they qualify, they can receive food stamps and medical assistance.

The terms refugee and immigrant are sometimes confusing, Olson said. Refugees are people who are escaping war or persecution and can work upon arrival. Immigrants have to wait about a year. Refugees are coming to Grand Forks from countries such as Yugoslavia.

Refugee numbers rising

There is a growing number of refugees coming to the region.

According to North Dakota Human Services figures:

■ 11 Bosnian refugees resettled in Grand Forks from October 1997 to September 1998.

■ From 1992 to 1998, 87 Bosnian and Kurdish refugees resettled in Grand Forks.

■ In North Dakota, total resettlement figures for the state are 537 for 1998, and from 1992 to 1998, 3,022 refugees resettled here.

Tough times

The numbers don't reveal the hardships many of the refugees faced before their arrival.

One family came in December from a refugee camp in Kosovo where they spent the last three years. There is another family from Belgrade, Yugoslavia, that's expected to arrive April 6 in Grand Forks. Belgrade has been the recipient of recent heavy bombing.

The coalition helps find shelter, furniture, household items and money to pay up to four months' rent for the refugees if needed. Often, refugees arrive in North Dakota with just the clothes on their backs.

By their second week, refugees are set up with a tutor and taught English. Several refugees volunteer time as interpreters when needed, Olson said.

After a year, refugees can qualify for green card. That means they are a resident alien of the United States and could leave the country and have no problem coming back here. Some, who are not new to Grand Forks, are applying for citizenship.

Some of the costs for these programs come from North Dakota Human Services. The department awarded \$18,500 to the Grand Forks Public schools and the adult education programs to benefit refugees.

Snyder said, four years ago the department received \$269,000 for refugees. Now the state receives \$1.6 million. Those funds are spread throughout the state.

Olson, who was a volunteer for the Coalition for 5½ years, is the only paid staff member at the United Methodist Commission on Relief. They work with the Lutheran Immigration and Refugee Services that is part of the special services out of Fargo. Their national office for refugees is in New York.

"All our refugees come through the Lutheran Immigration and Refugee program," Olson said.

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BANKING • IN

Introduced by

Delayed Bills Committee

A BILL for an Act to amend and reenact Section 43-09-15 of the North Dakota Century Code relating to renewal of electricians' license during a limited period of time.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

Section 1. AMENDMENT. Section 43-09-15 of the North Dakota Century Code is amended and reenacted to add a new subsection as follows:

43-09-14. Renewal of License During Limited Period of Time.

9. Any person who has held a master, journeyman, or Class B license of this state before March 31, 1990, and whose license was not renewed between March 31, 1990, and March 31, 1998, because of failure to fulfill continuing education requirements of section 43-09-15.1 may reinstate the license upon a showing that the person has held a license in another state regulating licensing under laws similar to the laws of this state, or who can demonstrate to the board substantial involvement in the electrical industry during the time the license had not been

renewed. The applicant shall follow the procedures in section 24-02-01-21 of the Administrative Code and must participate in six hours of continuing education as part of the application to reinstate the license. This procedure does not apply to persons who have taken the state examination under the provisions of section 43-09-12 during the period of time referred to in this subsection, and have failed to received a passing grade

Section 2. EXPIRATION DATE. This Act is effective through March 31, 2000, and after that date is ineffective.

Section 3. Emergency

BNSFDAVID L. AESCHLIMAN
Electrical Foreman

Burlington Northern Santa Fe

300 1st St. SW
P.O. Box 1205
Mandan, ND 58554
701-667-2287
701-667-2228 (Fax)

April 6, 1999.

Don Offerdahl
North Dakota State Electrical Board
PO Box 875
Bismarck, North Dakota 58502

Dear Mr. Offerdahl:

I have received your fax on Senate Bill No. 2442, amendment to section 43-08-22 of the supplement to the North Dakota Century Code to read. The board has jurisdiction over and shall provide inspection for all electrical installations except railroad operations located on railroad right of way. If this passes who insures the safety to the public and railroad employees for unsafe wiring? We have licensed electricians working for the railroad wiring to the National Electrical Code Standards. What the railroad, Burlington Northern Santa Fe, wants to do is to take the work away from System Electrical Department and turn it over to the Signal Department. By doing this you will have unlicensed people installing electrical circuits with little or no knowledge of the National Electrical Code.

Article 90-2 (b) 3 states. Installation of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communications purposes. Within the railroad industry there are many locations including those used by our Signal Department that aren't use for the propose of signaling. Such locations would be hot box detectors, used along the right of way checking on passing trains for hot journals, dragging equipment detectors, used to find loose equipment on trains. Both these types of locations are in bungalows along the right of way, neither one is for signaling. With the wording of Bill No. 2442, all railroad property would be exempt from inspections by the State Electrical Board. Again, who will insure the safety to the public from unsafe wiring practices. The public has access to all railroad buildings along the right of way, at signal crossings, depots, and through credit unions within our shops. We need to insure that any and all electrical wiring be safe and by licensed people.

Attached are copies of the System Electrical work rules.

Sincerely,



D. L. Aeschliman

IBEW**N.D. State Electrical Workers Council**

P.O. Box 1906 • Minot, North Dakota 58701



**MEMO: Chairman - Delayed Bills Committee
ND State Legislature**

**FROM: Mark Hager 
ND State Electrical Workers Council**

SUBJECT: Electrician Licensing

During the early 1990's construction employment was relatively low in the state of North Dakota which consequently forced many skilled craftsmen to work in other areas of the country. Also about the same time continuing education requirements were implemented in order to maintain a Master's or Journeyman's electricians license in the state of North Dakota. Because many of the electrical workers were out of state and unable to meet the continuing education requirements, they dropped their North Dakota licenses. Currently there is a shortage of qualified licensed electricians particularly in the eastern part of North Dakota. Many of these unlicensed electricians are willing to relocate to the area to perform the work of their trade. Currently they would be required to reapply and write a state electrical examination. In an effort to expedite this process, we understand the State Electrical Board has submitted a delayed bill to accommodate these electricians. As we understand this bill will allow reinstatement of licenses to those applicants who have previously held a North Dakota license gained by examination and also can submit evidence of 6 hours of continuing education. This exception in the rules would be for one year only, sunsetting on March 31, 2000. We urge the committee's review and approval of this delayed bill.

I thank you in advance for your consideration.

International Brotherhood of Electrical Workers

LOCAL UNION NO. 1426

AFL-CIO



AFFILIATED WITH
NORTH DAKOTA AFL-CIO
NORTH DAKOTA STATE ELECTRICAL WORKERS COUNCIL
NORTHERN VALLEY LABOR COUNCIL

AFFILIATED WITH
MINNESOTA AFL-CIO
MINNESOTA IBEW STATE COUNCIL
FARGO-MOORHEAD TRACES AND LABOR ASSEMBLY

PHONE 701-775-7601

FAX 701-775-0619

1714 N. WASHINGTON — GRAND FORKS, ND 58203

3002 FIRST AVE. N. — FARGO, N. DAK. 58102 — PH. 701-232-1637

April 1, 1999

To Whom It May Concern:

IBEW Local 1426 supports the effort of the North Dakota State Electrical Board which would reinstate the North Dakota Electrical Licenses that were dropped after March 31, 1990 due to the continued education requirements.

Thank you for your consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Dan M. Finnie".

Dan M. Finnie
Business Manager

DMF/cmv
opeiu 53
afl-cio



NORTH DAKOTA ELECTRICAL CONTRACTORS ASSN.
HCO 2 BOX 11
WATFORD CITY, ND 58854
April 1, 1999

Don Offerdahl
State Electrical Board
P O Box 857
Bismarck, ND 58502

Dear Don:

Re: New Legislation

The North Dakota Electrical Contractors Assn. Are in support of the new legislation dealing with the renewal of Electrical License that have expired due to not having C E U. We feel that each case should be judged on it own merit.

Sincerely,

Ronald Roos
Executive Secretary

Eclaseb49

NFPA 70

National Electrical Code®

1999 Edition

Article 90 — Introduction

90-1. Purpose.

(a) **Practical Safeguarding.** The purpose of this *Code* is the practical safeguarding of persons and property from hazards arising from the use of electricity.

(b) **Adequacy.** This *Code* contains provisions that are considered necessary for safety. Compliance therewith and proper maintenance will result in an installation that is essentially free from hazard but not necessarily efficient, convenient, or adequate for good service or future expansion of electrical use.

FPN: Hazards often occur because of overloading of wiring systems by methods or usage not in conformity with this *Code*. This occurs because initial wiring did not provide for increases in the use of electricity. An initial adequate installation and reasonable provisions for system changes will provide for future increases in the use of electricity.

(c) **Intention.** This *Code* is not intended as a design specification nor an instruction manual for untrained persons.

90-2. Scope.

(a) **Covered.** This *Code* covers the following.

(1) Installations of electric conductors and equipment within or on public and private buildings or other structures, including mobile homes, recreational vehicles, and floating buildings; and other premises such as yards, carnival, parking, and other lots, and industrial substations.

FPN: For additional information concerning such installations in an industrial or multibuilding complex, see the *National Electrical Safety Code*, ANSI C2-1997.

(2) Installations of conductors and equipment that connect to the supply of electricity.

(3) Installations of other outside conductors and equipment on the premises.

(4) Installations of optical fiber cables and raceways.

(5) Installations in buildings used by the electric utility, such as office buildings, warehouses, garages, machine shops, and recreational buildings, that are not an integral part of a generating plant, substation, or control center.

(b) **Not Covered.** This *Code* does not cover the following.

(1) Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.

FPN: While the scope of this *Code* indicates that the *Code* does not cover installations in ships, portions of this *Code* are incorporated by reference into Title 46, *Code of Federal Regulations*, Parts 110-113.

(2) Installations underground in mines and self-propelled mobile surface mining machinery and its attendant electrical trailing cable.

(3) Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communications purposes.

(4) Installations of communications equipment under the exclusive control of communications utilities located outdoors or in building spaces used exclusively for such installations.

(5) Installations, including associated lighting, under the exclusive control of electric utilities for the purpose of communications, metering, generation, control, transformation, transmission, or distribution of electric energy. Such installations shall be located in buildings used exclusively by utilities for such purposes; outdoors on property owned or leased by the utility; on or along public highways, streets, roads, etc.; or outdoors on private property by established rights such as easements.

(c) **Special Permission.** The authority having jurisdiction for enforcing this *Code* may grant exception for the installation of conductors and equipment that are not under the exclusive control of the electric utilities and are used to connect the electric utility supply system to the service-entrance conductors of the premises served, provided such installations are outside a building or terminate immediately inside a building wall.

90-3. **Code Arrangement.** This *Code* is divided into the introduction and nine chapters. Chapters 1, 2, 3, and 4 apply generally; Chapters 5, 6, and 7 apply to special occupancies, special equipment, or other special conditions. These latter chapters supplement or modify the general rules. Chapters 1 through 4 apply except as amended by Chapters 5, 6, and 7 for the particular conditions.

Chapter 8 covers communications systems and is independent of the other chapters except where they are specifically referenced therein.

Chapter 9 consists of tables.

Material identified by the superscript letter "x" includes

43-09-21. Standards for Electrical Wiring and Equipment.

All electrical wiring, apparatus, or equipment shall 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 laid down in the national electrical code and the national electrical safety code as approved by the American engineering standards committee shall be prima facie evidence of such approved methods. Any municipality may make more stringent requirements. No electrical installation shall be connected for use until proof has been furnished to the person, firm or corporation supplying electrical energy that such regulations have been complied with.

ARTICLE 24-02
ELECTRICAL WIRING STANDARDS

Chapter
24-02-01 General Conditions and Electrical Wiring Standards

CHAPTER 24-02-01
GENERAL CONDITIONS AND ELECTRICAL WIRING STANDARDS

Section	
24-02-01-01	Definitions
24-02-01-02	General Statement of Policy and
	<u>Interpretative Rules</u>
24-02-01-03	General Requirements
24-02-01-04	Places of Assembly
24-02-01-05	Hazardous Locations
24-02-01-06	Grounding
24-02-01-07	Branch Circuits and Feeders
24-02-01-08	Services
24-02-01-09	Overcurrent Protection
24-02-01-10	Wiring Methods
24-02-01-10.1	Electrical Equipment Submerged in Water
24-02-01-11	Motors, Motor Circuits, and Controllers [Repealed]
24-02-01-12	Boxes and Fittings
24-02-01-13	Seasonal Dwellings [Repealed]
24-02-01-14	Mobile Home Parks and Recreational Vehicle Parks [Repealed]
24-02-01-15	Athletic Field Lighting [Repealed]
24-02-01-16	Exit Marking, Illumination of Means of Egress, and Emergency Lighting
24-02-01-16.1	Smoke Detectors and Fire Alarm Requirements for Evacuation and Life Safety
24-02-01-17	Carnivals
24-02-01-18	National Electrical Manufacturers Association Enclosures
24-02-01-19	Inspection Fees
24-02-01-20	Severability
24-02-01-21	Examination and Annual License Fees
24-02-01-22	Continuing Education Requirements

24-02-01-01. Definitions. The terms used throughout this chapter have the same meaning as in the National Electrical Code except:

4. Purpose and scope. The purpose of these standards is the practical safeguarding of persons and of buildings and building contents from electrical hazards arising from the use or control of electricity for light, heat, power, and control thereof and of the fire detection system. It covers the electrical conductors and equipment installed within or on public and private buildings and other premises, including yards, carnival and parking lots, railroad right of way and, also the conductors that supply street lighting, with the associated equipment necessary to its safe operation.

These standards, based on the National Electrical Code, are the result of years of experience and research to meet the demand for uniform standards to govern electrical wiring in North Dakota, and provide basic rules for intelligent and uniform installation and inspection.

All requirements contained herein must be given careful consideration to ensure greatest permanence, convenience, and safety. These standards do not constitute a design specification for any particular installation, nor an instruction manual for untrained persons. Skill and experience are necessary factors for a safe and adequate wiring installation. In cases where these requirements differ or are in conflict with the requirements of the 1999 edition, National Electrical Code, the 1997 edition, Life Safety Code NFPA no. 101, and applicable articles in currently adopted state uniform building code pertaining to fire detection, fire alarms, fire communications, and smoke detectors, the more restrictive requirements shall be the minimum.

5. Administrative powers and duties. The executive director of the North Dakota state electrical board, under the direction of the board, shall administer laws, rules, and wiring standards of this state, the electrical requirements of the 1999 edition, National Electrical Code; the 1997 edition, Life Safety Code NFPA no. 101, and applicable articles in currently adopted state uniform building code pertaining to fire detection, fire alarms, fire communications, and smoke detectors. In all cases where any action is taken by the executive director to enforce the provisions of any sections contained in these electrical regulations, the 1999 edition, National Electrical Code, and the 1997 edition, Life Safety Code NFPA no. 101, such acts must be done in the name of and on behalf of the state.

The electrical regulations of these standards, the 1999 edition, National Electrical Code, and the 1997 edition, Life Safety Code NFPA no. 101, may be modified or waived by special permission in particular cases where such modification or waiver is specifically permitted or in particular cases where an advancement in the technology of electricity makes such modification or waiver advisable in the best interest of the people of North Dakota. Such "special permission" must, in all cases, be obtained from the executive director in writing prior to the commencement of the work.

Whenever the board is authorized or mandated by law to inspect an electrical installation, the inspector has authority to enter upon land for the purpose of conducting the inspection. Except in emergency circumstances, the inspector shall request permission from the property owner or agent prior to entering a dwelling, other building, or other place so enclosed as manifestly to exclude intruders. If the land owner refuses to give permission, the board may request the district court of the district containing the property for an order

PROPOSED AMENDMENTS TO ENGROSSED SB 2442
(Engrossed bill unavailable, so line numbers may vary)

Page 1, line 8, replace "railroad operations located on" with "installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communications purposes"

Page 1, line 9, remove "railroad right of way"

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SB 2442
(Engrossed bill unavailable, so line numbers may vary)

Page 1, line 1, replace "43-09-22" with "43-09-15"

Page 1, line 2, remove "relating to electrical installation inspections;"

Page 1, line 5, replace "43-09-22 of the 1997 Supplement to" with
"43-09-15 of"

Page 1, remove lines 7 through 17

Page 1, line 18, replace "2" with "1"

Page 1, line 19, replace "Notwithstanding sections 43-09-15 and 43-09-15.1,
any" with "Any"

Page 2, line 6, replace "3" with "2"

Page 2, line 8, replace "4" with "3"

Re-number accordingly