

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2317

2001 SENATE TRANSPORTATION

SB 2317

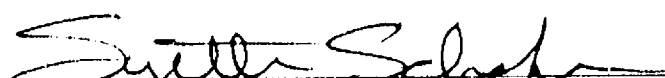
2001 SENATE STANDING COMMITTEE MINUTES

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 Stenchjem.

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 Stenchjem.

Committee closed.

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

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

Module No: SH-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.

Page 2

House Transportation Committee

Bill/Resolution Number SB 2317

Hearing Date March 8, 2001

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

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

