

BEFORE THE STATE ELECTRICAL BOARD
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the proposed)
amendment of ARM 24.141.405, and)
ARM 24.141.506 pertaining to)
fee schedule and master)
electrician qualifications)

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT

TO: All Concerned Persons

1. On November 9, 2004, at 9:00 a.m., a public hearing will be held in room 471 of the Park Avenue Building, 301 South Park Avenue, Helena, Montana to consider the proposed amendment of the above-stated rules.

2. The Department of Labor and Industry will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or who need an alternative accessible format of this notice. If you require an accommodation, contact George Edwards no later than 5:00 p.m., November 3, 2004, to advise us of the nature of the accommodation you need. Please contact George Edwards, State Electrical Board, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2329; Montana Relay 1-800-253-4091; TDD (406) 444-2978; Facsimile (406) 841-2305; e-mail dlibsdele@state.mt.us.

3. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

24.141.405 FEE SCHEDULE

~~(1) Examination fee (paid directly to the testing agency upon board approval of application) \$ 75~~

(1) Examination fees are set by the testing agency and vary by examination. Contact the board office for a current schedule of test section fees. Fees are to be paid directly to the testing agency upon the board's approval of an application.

(2) Application fee for a license by examination (includes original license fee) \$120

(3) through (9) remain the same.

AUTH: ~~37-1-131~~, 37-1-134, 37-68-201, MCA

IMP: 37-1-134, 37-1-304, 37-1-305, 37-68-304, 37-68-307, 37-68-310, 37-68-311, 37-68-312, 37-68-313, MCA

REASON: There is reasonable necessity to amend ARM 24.141.405 in anticipation of the Board finalizing a contract with a new examination vendor. The rule change will have no impact on the State Electrical Board's budget, as the exam administration fees will be paid directly to the testing agency. The Board expects that examination fees will decrease

by \$15.00 for journey level and residential examinations, and decrease by \$5.00 for master level examinations. Based on the number of persons sitting for the examination in fiscal year 2004, the Board estimates that approximately 21 residential, 98 journeyman, and 148 master applicants per year will be affected by the proposed amendment. The Board estimates that there will be a net decrease in examination fees of approximately \$2525 per year.

24.141.506 MASTER ELECTRICIAN QUALIFICATIONS

(1) remains the same.

(2) The journeyman level experience required by (1)(a), (b) or (c) must be obtained by a combination of residential, commercial and industrial work.

~~(a) No less than 10% 20%, but no more than 50% of the required experience may be obtained by residential work.~~

~~(b) No more than 70% of the required experience may be obtained by either commercial or industrial work.~~

AUTH: 37-1-131, 37-68-201, MCA

IMP: 37-1-131, 37-68-201, 37-68-301, 37-68-304, MCA

REASON: There is reasonable necessity to amend ARM 24.141.506 to clarify the percentage of needed experience in the Master Electrician Qualifications rule. The current rule adopted in April 2004 does not clearly identify percentages of residential time combined with commercial and industrial work, and has been confusing to both applicants and staff.

4. Concerned persons may present their data, views or arguments either orally or in writing at the hearing. Written data, views or arguments may also be submitted by mail to George Edwards, State Electrical Board, Department of Labor and Industry, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or by e-mail to dlibsdele@state.mt.us and must be received no later than 5:00 p.m., November 17, 2004.

5. An electronic copy of this Notice of Public Hearing is available through the Department and Board's site on the World Wide Web at <http://discoveringmontana.com/dli/ele>, in the Rules Notices section. The Department strives to make the electronic copy of this Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the Department strives to keep its website accessible at all times, concerned persons should be aware that the website may be unavailable during some periods, due to system maintenance or technical problems, and that a person's technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

6. The State Electrical Board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this Board. Persons who wish to have their name added to the list shall make a written request that includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all State Electrical Board administrative rulemaking proceedings or other administrative proceedings. Such written request may be mailed or delivered to the State Electrical Board, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, faxed to the office at (406) 841-2305, e-mailed to dlibsdele@state.mt.us or may be made by completing a request form at any rules hearing held by the agency.

7. The bill sponsor requirements of 2-4-302, MCA, apply and have been fulfilled.

8. Lon Mitchell, attorney, has been designated to preside over and conduct this hearing.

MONTANA STATE ELECTRICAL BOARD
TONY MARTEL, PRESIDENT

/s/ WENDY J. KEATING
Wendy J. Keating, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

/s/ MARK CADWALLADER
Mark Cadwallader
Alternate Rule Reviewer

Certified to the Secretary of State September 27, 2004.