

ELECTRICIANS' EXAMINING BOARD MEETING MINUTES

Meeting Date: January 15, 2021

Meeting Location: This meeting occurred via remote access pursuant to 1 M.R.S. §403-A.

Time Meeting Scheduled to Begin: 8:00 a.m.

I. CALL TO ORDER – 8:05 a.m.

The meeting was called to order.

Members present:

Brian McDougal
Jonathan McKane
Peter Wilson
Alan Kenney
Gerard Caron @ 8: 18 a.m.

Members absent:

None

Staff Present:

Catherine Carroll, Board Administrator
Mary Lord, Professional Licensing Supervisor
Michael Blodgett, Office Specialist I
Raymond Stanford, Senior Inspector
Kristin Racine, OPOR Attorney

AAG Present:

Timothy Steigelman

II. ELECTION OF OFFICERS

A motion was made to re-elect Brian McDougal as Board Chair

Motion: Peter Wilson
Second: Jonathan McKane
Absent: Gerard Caron
Motion Carried

III. AGENDA MODIFICATIONS AND APPROVAL

A motion was made to accept and approve the agenda as modified. The modification was to remove Item XI as the matter has been resolved.

Motion: Jonathan McKane
Second: Peter Wilson
Absent: Gerard Caron
Motion Carried

IV. MINUTES REVIEW AND APPROVAL

A motion was made to approve the December 18, 2020 minutes of the meeting, as amended. The amendment was to add Raymond Stanford’s name as a member of staff present for the meeting.

Motion: Peter Wilson
Second: Jonathan McKane
Absent: Gerard Caron
Motion Carried

V. ADJUDICATORY HEARINGS

a. 2020-ELE-16536 – Joshua K. Robertson

A motion was made to find that the applicant for a helper electrician license has been sufficiently rehabilitated to warrant the public’s trust and to grant the appeal and to issue the license today with a term of probation contingent on submission of physical proof of completion of programs attested to in his testimony before the renewal of the helper electrician license and/or submission of a journeyman license application.

Motion: Peter Wilson
Second: Alan Kenney
Motion Carried

A motion was made to delegate the signing of the Decision and Order to the board chair.

Motion: Jonathan McKane
Second: Peter Wilson
Motion Carried

b. 2020-ELE-16724 – Kevin S. Dubreuil, II

A motion was made to find that the applicant for the master electrician exam has provided sufficient evidence to show that he is eligible for the master examination under the Board’s discretion under 32 M.R.S. § 1202-A(4)(B)(2) by providing evidence of comparable work experience, and to approve Mr. Dubreuil’s application to sit for the exam, effective today.

Motion: Peter Wilson
Second: Alan Kenney
Motion Carried

A motion was made to delegate the signing of the Decision and Order to the board chair.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

VI. REQUEST TO INITIATE RULEMAKING ON A PROPOSED RULE – CHAPTER 120

A motion was made to begin the rulemaking process on a proposed rule – Chapter 120.

Motion: Gerard Caron
Second: Jonathan McKane

Motion Carried

VII. PRESENTATION OF APPLICATION FOR EXAMINATION

2020-ELE-16610 Paul J. Stebner – Limited to House Wiring Electrician

A motion was made to find that the applicant has not completed a Blueprint Reading course but by his work experience, the applicant has demonstrated that he is eligible to sit for the limited to house wiring examination under the Board's discretion to allow applicants to qualify for exam under 32 M.R.S. § 1202-A(5)(C).

Motion: Jonathan McKane
Second: Alan Kenney
Motion Carried

VIII. PRESENTATION OF APPLICATIONS FOR LICENSE REINSTATEMENT

a. Ernest Anderson – JY40088913

The board informally agreed to allow for reinstatement of the Journeyman license.

b. James Wingren – JY40089090

A motion was made to preliminary deny the applicant's reinstatement application as a Journeyman electrician.

Motion: Alan Kenney
Second: Gerard Caron
Opposed: Jonathan McKane
Motion Carried

c. Brandon Higgins – JY40091034

A motion was made to approve the applicant's Journeyman license reinstatement application.

Motion: Jonathan McKane
Second: Peter Wilson
Motion Carried

d. Robert Sawin – JY40091147

A motion was made to preliminary deny the applicant's reinstatement application as a Journeyman electrician.

Motion: Peter Wilson
Second: Alan Kenney
Opposed: Jonathan McKane
Motion Carried

e. Benjamin Brand, Sr. – JY40091990

A motion was made to approve the applicant's Journeyman license reinstatement application.

Motion: Peter Wilson
Second: Jonathan McKane
Opposed: Alan Kenney
Motion Carried

f. William Gagan, Jr. – JY40090876

A motion was made to preliminary deny the applicant's reinstatement application as a Journeyman electrician.

Motion: Peter Wilson
Second: Alan Kenney
Opposed: Jonathan McKane
Motion Carried

IX. COMPLAINT PRESENTATIONS

a. 2020-ELE-16772

A motion was made to dismiss the complaint.

Motion: Peter Wilson
Second: Alan Kenney
Motion Carried

b. 2020-ELE-16908

A motion was made to set the complaint for a hearing before the board.

Motion: Peter Wilson
Second: Jonathan McKane
Motion Carried

c. 2020-ELE-16910

A motion was made to set the complaint for a hearing before the board.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

X. ELECTRICAL EDUCATION PROVIDER APPLICATIONS

a. !RocketCert – Proposed NEC 15-hour online update

Brian McDougal and Peter Wilson had not completed their review of this proposal at the time of the meeting. Catherine Carroll discussed with the board their ability to establish a sub-committee to review and approve provider applications and instructor additions. Catherine will report to the board at regularly scheduled meetings any application approvals and the delegation to the sub-committee will be revisited once annually to determine the Board's desire to continue the sub-committee delegation.

A motion was made to establish a sub-committee of the board to review continuing and qualifying education applications, including !RocketCert's application, and amendments to approved provider applications.

Motion: Gerard Caron
Second: Alan Kenney
Motion Carried

b. Maine Electrical Institute – Proposal to Add a New Instructor

A motion was made to accept the proposal to add a new instructor.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

XI. BOARD ADMINISTRATOR’S REPORT

Catherine Carroll confirmed the 2021 meeting calendar. Catherine asked if board members had any questions, comments, or concerns regarding the department’s legislation and media policy memo, enforcement authority to boards regarding COVID compliance, and an informational document emailed to all licensees being aware of covid safety measures and applicable compliance requirements while practicing. Catherine said it will be very important for the board to assist her when she solicits subject matter expertise from board members on any proposed legislation having a direct or indirect effect on their statute. Catherine anticipates that the staff will present a summary of public comment from the hearing the board held last month on a proposed rule to define electrical installations and to move the Advisory Ruling Chapter at the February 19 meeting. At that time the board should accept or not accept the summarized comments and to provide a response to the public comment. The board ought to vote whether to adopt or not adopt the proposed rule. Catherine informed the board that December 31, 2020 was the cut off date for CPE extensions granted by the board last spring. The board did not wish to extend CPE at this time seeing that there doesn’t appear to be a problem for licensees to obtain NEC updates during the pandemic. Catherine and subject matter experts and administrative staff of the trades boards are meeting with PROV for an annual check-in on examination administration and development.

XII. BOARD STATE INSPECTOR’S REPORT

Raymond Stanford requested that the board update information on the website on the anticipated date of adopting the 2020 NEC. The home page was updated to reflect a ‘no earlier than May 31, 2021’ adoption date.

XIII. OPPORTUNITY FOR PUBLIC COMMENT

Adam Lee of Maine Electrical Institute invited board members for a guided tour (in person or virtual) of the institute's facility. Kevin Dubreuil presented a scenario of a limited electrician employing and supervising the work of a master electrician.

XIV. ADJOURN

A motion was made to adjourn the meeting at 12:48 p.m.

Motion: Jonathan McKane
Second: Gerard Caron
Motion Carried