

**ELECTRICIANS' EXAMINING BOARD
MEETING MINUTES**

Meeting Date: February 18, 2022
Meeting Location: This meeting occurred virtually through exclusively remote participation pursuant to Section 2 (a.) (ii) of the Board's Remote Participation Policy adopted by the Board on September 17, 2021.

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

I. CALL TO ORDER – 8:06 a.m.

Members present:

Brian McDougal
Gerard Caron
Alan Kenney
Jonathan McKane
Peter Wilson

Members absent:

None

Staff Present:

Catherine Carroll, Board Manager
Mary Lord, Professional Licensing Supervisor
Kern Butler, Senior State Electrical Inspector
Kristin Racine, OPOR Attorney

AAGs Present:

Elizabeth "Betsy" Stivers
Timothy Steigelman

II. AGENDA MODIFICATIONS AND APPROVAL

A motion was made to accept and approve the agenda.

Motion: Gerard Caron
Second: Jonathan McKane
Motion Carried

III. MINUTES REVIEW AND APPROVAL

A motion was made to approve the January 21, 2022 minutes.

Motion: Gerard Caron
Second: Jonathan McKane
Motion Carried

IV. ADJUDICATORY HEARING

2021-ELE-17330 (Ryan J. McGuire)

A motion was made to find the licensee engaged in multiple instances of the practice of fraud, deceit, or misrepresentation in connection with services rendered while engaged in the electrician profession.

Motion: Peter Wilson
Second: Jonathan McKane
Motion Carried

A motion was made to find the licensee engaged in multiple instances of continuing to act in a capacity requiring a license.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

A motion was made to find the licensee violated the Board's requirements by failing to obtain an electrical permit.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

A motion was made to find the licensee violated the Board's requirements by failing to comply with the National Electrical Code.

Motion: Peter Wilson
Second: Jonathan McKane
Motion Carried

A motion was made to impose a \$7500. civil penalty to be paid no later than December 31, 2022, suspend the license through December 31, 2022, flag the license for non-renewal and require the licensee to appear before the board for permission to renew the license.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

A motion was made to make the above-mentioned sanctions effective upon the chairman's signature of the Decision and Order and to delegate the signing of the Decision and Order to the chairman.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

V. PRESENTATION OF ELECTRICAL TECHNOLOGY CERTIFICATE PROGRAM -

Representatives from KVCC presented a one-year education program to qualify students for the

journeyman electrician exam and credit them 2,000 hours of work experience after completion. Course work would include master level courses.

VI. PRESENTATION OF AUGUSTA ELECTRICAL JATC APPRENTICESHIP PROGRAM OF STUDY George Howe presented the current curriculum which includes 126 hour degree-related courses.

VII. COMPLAINT PRESENTATIONS

a. 2021-ELE-16909

A motion was made to dismiss the complaint for lack of evidence that there's been a violation.

Motion: Jonathan McKane
Second: Gerard Caron
Motion Carried

b. 2021-ELE-17832

A motion was made to dismiss the complaint for lack of evidence that there's been a violation.

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

c. 2021-ELE-17835

A motion was made to order an adjudicatory hearing on the complaint.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

VIII. PRESENTATION OF NONCOMPLIANCE OF DECISION AND ORDER

2020-ELE-16910 (Theodore Ray)

A motion was made to table action on the non-compliance matter and request staff to report back on the progress Mr. Ray has made in paying the \$250.00 penalty and taking the 45-hour course in the 2020 NEC.

Motion: Peter Wilson
Second: Jonathan McKane
Motion Carried

IX. LICENSE APPLICATIONS

a. Jason R. Haddigan (MS60020138)

A motion was made to re-instate the license effective today.

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

- b. Michael R. Hastings (JY20014651)
A motion was made to re-instate the license effective today.

Motion: Jonathan McKane
Second: Alan Kenney
Motion Carried

- c. Jorge L. Jimenez (JY40091696)
A motion was made to re-instate the license effective today and to issue a Letter of Guidance for not complying with the Decision and Order dated April of 2021.

Motion: Jonathan McKane
Second: Peter Wilson
Motion Carried

X. PRESENTATION OF DELEGATION DOCUMENTS

- a. **Renewal** of the Limited Delegation of Authority to the Board's Administrator to Review and Approve Applications for Renewal of Licensure and Offer Letters of Guidance to Licensees who Fail to Timely Report Criminal Convictions or Disciplinary Action to the Board Pursuant to 10 M.R.S. § 8003-G

A motion was made to renew the delegation order effective today and correct the typo on the title of the order.

Motion: Jonathan McKane
Second: Peter Wilson
Motion Carried

- b. **Renewal** of the Limited Delegation of Authority to the Board's Administrator to Issue Investigatory Subpoenas Pursuant to 10 M.R.S. § 8003-A(2)

A motion was made to renew the delegation order effective today.

Motion: Jonathan McKane
Second: Gerard Caron
Motion Carried

- c. **Proposed** Limited Delegation of Authority to the Board's Administrator to Review and Approve Applications for Renewal of Licensure and Offer Consent Agreements to Applicants to Licensees who Fail to Timely Complete Required NEC Code Courses Under 32 M.R.S. §1204

A motion was made to make the delegation order effective today.

Motion: Peter Wilson
Second: Gerard Caron
Motion Carried

XI BOARD MANAGER'S REPORT

None.

XII. BOARD SENIOR STATE INSPECTOR'S REPORT

Report attached to minutes.

XIII. OPPORTUNITY FOR PUBLIC COMMENT

None

XIV ADJOURN

A motion was made to adjourn the meeting at 1:10 p.m.

Motion: Gerard Caron
Second: Jonathan McKane
Motion Carried