

# **ELECTRICIANS' EXAMINING BOARD MEETING MINUTES**

Meeting Date: April 16, 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 – 8:03 a.m.**

The meeting was called to order.

Members present:

Brian McDougal  
Jonathan McKane  
Peter Wilson

Members absent:

Gerard Caron  
Alan Kenney

Staff Present:

Catherine Carroll, Board Administrator  
Mary Lord, Professional Licensing Supervisor  
Raymond Stanford, Senior Inspector  
Kristin Racine, OPOR Attorney

AAG Present:

Timothy Steigelman

## **II. AGENDA MODIFICATIONS AND APPROVAL**

A motion was made to accept and approve the agenda as written.

Motion: Jonathan McKane

Second: Peter Wilson

Motion Carried

## **III. MINUTES REVIEW AND APPROVAL**

A motion was made to approve the March 19, 2021 minutes of the meeting, as amended. The amendment added the members who made and seconded the motion to approve the minutes.

Motion: Peter Wilson

Second: Jonathan McKane

Motion Carried

#### IV. CHAPTER 120, "ELECTRICAL INSTALLATION STANDARDS"

A motion was made to accept the Draft Basis Statement and Summary and Responses to Comments, as amended, the economic impact statement, and the updated fact sheet and to adopt the rule effective June 1<sup>st</sup> or thereafter.

Motion: Peter Wilson

Second: Brian McDougal

Opposed: Jonathan McKane (concerned that some of the changes may have potential adverse fiscal impacts)

Motion Carried

#### V. ADJUDICATORY HEARING

*a. 2020-ELE-16910 – Theodore R. Ray*

A motion was made to find that Mr. Ray violated 32 M.R.S. § 1102-C (1) in that he did not obtain a permit to perform the electrical installation.

Motion: Peter Wilson

Second: Jonathan McKane

Motion Carried

A motion was made to find that Mr. Ray was not in violation of 10 M.R.S. § 8003(5-A) (A) (8) - aiding and abetting unlicensed practice.

Motion: Peter Wilson

Second: Jonathan McKane

Motion Carried

A motion was made to find that there was a violation of Article 200.7 of NEC.

Motion: Peter Wilson

Second: Jonathan McKane

Motion Carried

A motion was made to find that there was a violation of Article 250.24(A)(5) of the NEC.

Motion: Jonathan McKane

Second: Peter Wilson

Motion Carried

A motion was made to find that there was a violation of Article 404.9(B) of the NEC.

Motion: Peter Wilson

Second: Jonathan McKane

Motion Carried

A motion was made to find that there was a violation of Article 334.15(C) of the NEC.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

A motion was made not to find that there was a violation of Article 314.17(B) of the NEC.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

A motion was made to find that there was a violation of Article 314.25 of the NEC.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

A motion was made to impose a \$250.00 penalty and require Mr. Ray to complete a 45-hour course in a current (2017 or 2020) NEC in any of the board-approved formats. The penalty must be paid and the course must be completed within six months of the execution of the Decision and Order.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

## **VI. RECOMMENDATIONS OF THE ELECTRICAL EDUCATION SUBCOMMITTEE**

A motion was made to approve R A Duval Electrical Trade Seminars to offer their board-approved continuing education courses through the Zoom platform, to approve Maine Electrical Institute to instruct their board-approved courses in motors, transformers, controls II, and math I online. Additionally, the motion included approving Maine Electrical Institute to instruct a 45-hour course to be considered trade and degree related.

Motion: Jonathan McKane  
Second: Peter Wilson  
Motion Carried

## **VII. LICENSE REINSTATEMENT APPLICATIONS**

*a. Jorge L. Jimenez – JY40091696*

A motion was made to reinstate the license with a condition that Mr. Jimenez completes a 45-hour course in the current NEC within the next six months.

Motion: Jonathan McKane  
Second: Peter Wilson  
Motion Carried

b. *Jason W. McGrath – JY40091497*

A motion was made to preliminarily deny the reinstatement application based on not explaining why the license expired and not completing a 45-hour course in the current NEC.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

c. *James B. Kennedy, Jr. – MS60020967*

A motion was made to reinstate the license with a condition that Mr. Kennedy completes a 45-hour course in the current NEC within the next six months.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

d. *Craig J. Hutchins – MS30013253*

A motion was made to reinstate the license.

Motion: Jonathan McKane  
Second: Brian McDougal  
Opposed: Peter Wilson  
Motion Carried

e. *Wade L. Rogers MS40089034*

A motion was made to reinstate the license.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

f. *Gary M. Demmons MS60020613*

A motion was made to preliminarily deny the reinstatement application based on the length of time that the license has been expired.

Motion: Peter Wilson  
Second: Jonathan McKane  
Motion Carried

The board requested the following changes be made to the license reinstatement application: request proof of completion of a 45-hour course in a current NEC; ask applicants to provide proof of being

licensed elsewhere, if applicable, and to require applicants to explain why they allowed their licenses to lapse.

#### **VIII. BOARD ADMINISTRATOR’S REPORT**

Catherine Carroll reported that many electricians licensed as journeymen in other states that do not reciprocate with Maine are submitting examination applications to be licensed here. Catherine asks those why they want to be licensed in Maine and it is because of the solar and wind projects booming in Maine. Catherine does not believe that the licensing processes, while it may be fair and reasonable, can keep up with the pace of the workforce demands; licensing journeymen in time for them to work on the projects while under construction. Catherine reported on *LD 1231 – An Act Concerning Climate and Community Investments Projects* in which a public hearing was held on April 9, 2021. The bill contains a provision that would define electrical installations to include racking systems. Catherine stated that the rulemaking hearing on a newly proposed chapter of the board rules that would explain when installations of power generation systems are, and are not, considered “electrical installations” is scheduled for May 21, 2021. Catherine had no information to offer on the status of *LD 126 – An Act to Allow a Journeyman Electrician to Supervise Three Helper Electricians*. Catherine hopes to have a clear understanding of the outcome of several legislative proposals on credentialing and licensure by endorsement that are under consideration. Right now it's too soon to know since the several proposals are in different stages in the legislative process.

#### **IX. BOARD STATE INSPECTOR’S REPORT**

Raymond Stanford reported on the solar project boom, a company installing conduit that is unlisted, and participating in an investigation with a local electrical inspector of shock injury incident.

#### **X. OPPORTUNITY FOR PUBLIC COMMENT**

None.

#### **XI. ADJOURN**

A motion was made to adjourn the meeting at 12:49 p.m.

Motion: Jonathan McKane

Second: Peter Wilson

Motion Carried