



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL & OCCUPATIONAL REGULATION
ELECTRICIAN'S EXAMINING BOARD
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Janet T. Mills
GOVERNOR

Anne L. Head
COMMISSIONER

ELECTRICIANS' EXAMING BOARD
OFFICIAL MEETING MINUTES

Meeting Date: 3/29/24
Meeting Location: Office of Professional and Occupational Regulation
76 Northern Ave, Gardiner, ME

CALL TO ORDER – 9:00

Members present:

Brian McDougal, Chair (remote)
Peter Wilson
George Howe
Joshua Baston
Chuck Daigle

Members Absent:

n/a

Staff Present:

Karen Ross, Interim Board Manager
Peter Holmes, Executive Director
Kristen Racine, Deputy Director
Tyler Robinson, Board Staff

AAGs Present

John Belisle

1) **AGENDA MODIFICATIONS AND APPROVAL**

- No Board Manager's Report
- No State Inspector's Report
- 5B of the agenda is not an exam application but a helper license review

2) **MINUTES REVIEW & APPROVAL**

- a. Review of the 2/16/24 Board Meeting Minutes.
Board Voted to accept the minutes with a minor change to item #7, ensuring that the word 'completion' was added.

Motion – Peter Wilson

Second – George Howe

Vote – 4 in favor / 1 Abstained / Motion carried

3) **ADJUDICATORY HEARING**

2022-ELE-18818 – Garcia, Josafat

- Based on the types of violations, the Board decided to suspend the Journeyman and Master Electrical licenses held by the licensee, for 2 years.
- Licensee must complete a 45 hour Maine approved NEC course
- Licensee must pay a civil penalty of \$2,000 within a 2-year period, coinciding with the Decision & Order date.
- License will be flagged for non-renewal to ensure that the Decision & Order is satisfied.

Motion – Charles (Chuck) Daigle

Second: -

Vote – 5 in favor / 0 opposed / Motion carried

Voting on Individual Complaints - 2022-ELE-18818 – Garcia, Josafat

1) Misrepresentation – dismissed

a. 5 in favor / 0 opposed

2) Violation of National Electrical Code & Board Rules

a. Equipment lacked listing certification

Motion – Peter Wilson

Seconded by – Chuck Daigle

5 in favor / 0 opposed / motion carried

b. Neat & workmanlike manner

Motion – Peter Wilson

Seconded by – Chuck Daigle

5 in favor / 0 opposed / motion carried

c. Electrical splices were not properly secured

Motion – Peter Wilson

Seconded by – Chuck Daigle

5 in favor / 0 opposed / motion carried

d. Outlet not installed within 25 feet of the equipment

Motion – Chuck Daigle

Seconded by – George Howe

Complaint dismissed / 5 in favor / 0 opposed

e. Wires entering boxes were not protected

Motion – Peter Wilson

Seconded by – George Howe

5 in favor / 0 opposed / motion carried

f. Flexible cords were run through holes in walls

Motion – Peter Wilson

Seconded by – Chuck Daigle

4 in favor / 1 opposed / motion carried

g. Conductors supplying motors using a lamp cord to power outside condenser unit and indoor fan unit were improper.

Motion – Peter Wilson

Seconded by – Chuck Daigle

5 in favor / 0 opposed / motion carried

h. No disconnecting means within sight of motor was installed for the units

Motion – Peter Wilson

Seconded by – Chuck Daigle

5 in favor / 0 opposed / motion carried

i. Failed to obtain a required electrical permit

Motion – Peter Wilson

Seconded by – Chuck Daigle

5 in favor / 0 opposed / motion carried

Delegation order voted by the Board to allow the Chair to sign the Decision & Order

Motion – Peter Wilson

Second – Josh Baston

5 in favor / 0 opposed / motion carried

4. **COMPLAINT PRESENTATIONS**

a) 2023-ELE-19613

Complaint Dismissed

Motion – Chuck Daigle

Seconded by – Josh Baston

5 in favor / 0 opposed / motion carried

b) 2023-ELE-19696

Complaint Dismissed
Motion – Peter Wilson
Seconded by – Chuck Daigle
Motion carried – 5 in favor / 0 opposed

c) 2023-ELE-19698

Consent Agreement will be offered and will set the matter for Hearing
Penalty of \$1,500, Civil Penalty to be paid within 60 days to coincide with the Consent agreement date.
Motion – Peter Wilson
Seconded – George Howe
Motion – carried 4 in favor / 0 opposed / 1 abstained

d) 2023-ELE-19694

Board voted to set the matter for hearing and to offer a consent agreement with a reprimand and \$5,000 civil penalty to be paid within 12 months.
Motion – Josh Baston
Seconded – Chuck Daigle
Motion carried – 5 in favor / 0 opposed

e) 2023-ELE-19625

Board was made aware that new information was received. Options were introduced to the Board, who then decided not to re-open this complaint.
No formal vote – just discussion

5. **EXAM APPLICATIONS**

a) Edward J Stewart / JY40094627

Based on the applicants situation, experience & education, the Board approved 8,000 hours so he can sit for his Journeyman exam.
Motion – Josh Baston
Seconded – Chuck Daigle
Motion carried -5 in favor / 0 opposed

b) Jeremiah Lucas /HP20049206 (EXAM REVIEW)

The Board voted to give the applicant a helpers licensed after reviewing his application.
Motion – Peter Wilson
Seconded – Chuck Daigle
Motion – carried 5 in favor / 0 opposed

6) LIGHTWAVE LEARNING – UPDATE

Board members could not access the site, password issues. Tyler will obtain the login information so it can be distributed.

7) RULE MAKING UPDATE

Chapter 120

Board voted to adopt
Motion –Chuck Daigle
Seconded – George Howe
Motion carried – 5 in favor / 0 opposed

Chapter 180

Board voted to adopt.
Motion – Peter Wilson
Seconded - Josh Baston
Motion carried / 5 in favor / 0 opposed

8.) NO State Inspector's Report

9.) NO Board Manager's Report

10) OPPORTUNITY FOR PUBLIC COMMENT

No comments

11) AJOURN

Motion – Peter Wilson
Seconded – Josh Baston
Motion carried – 5 in favor / 0 Opposed