

**Board of Electricity
Meeting Minutes
August 4, 2009**

**Minnesota Room – Department of Labor and Industry
443 Lafayette Road North, Saint Paul 55155
DLI.CCLDBOARDS@State.MN.US**

Members Present:

Jim Freichels
Kim Huxford
Daniel Klein
Timothy Malooly
John McConnell
Dick Owen
John Schultz (DLI Commissioner's Designee)
Tom Seanger
Joe Vespa

Members Available by Teleconference:

None

Members Absent:

Douglas Fingerson
Willy Hoskins
Andy Toft

Staff Present:

Wendy Legge
Annette Trnka
Kevin Wilkins

Visitors:

Mike Ahern
John Ploetz
Gary Thaden
Bob Sogla
Bob Fitch
Mike Martin
Tony Mendoza
Scott Nutting
Bill Heaney
Dan McConnell
Judi Rubin
David Fisch
Brian Winkelaar

I. Call To Order

The meeting was called to order by Chair Vespa at 9:05 a.m. Role was taken and a quorum was confirmed.

II. Approval of Meeting Agenda

A motion was made by Owen, seconded by Freichels, to approve the meeting agenda. Malooly asked if item VIII on the Agenda could be moved to item V and was affirmed by the Chair. The vote was unanimous to accept the agenda as amended and the motion passed.

III. Approval of Previous Meeting Minutes

Legge recommended a change in wording on page two. A motion was made by Freichels, seconded by Seanger, to accept the previous Meeting Minutes as amended. The vote was unanimous and the motion passed. Klein arrived at 9:10.

IV. Regular Business

- A. Expense Approval
 - i. The Chair stated he had reviewed the Expense Reports and Per Diems and declared them approved.
- B. Enforcement
 - i. Freichels stated that at the meeting held in the Commissioner's office on July 28, 2009, the issue of additional staff for investigating unlicensed electrical contractors was discussed.

V. Special Business

- A. Chapter 3800 (Electrical Licensing & Continuing Education)
 - i. Update on Proposed Rules – Schultz and Legge gave an overview of proposed changes for review by the Board to consider.

Seanger made a motion to accept the proposed changes as discussed at the meeting on July 28, 2009, hand marked on the Revisor's version dated 5/21/09; and deleting the word "supervising" on line 18.9, seconded by Freichels. At that point discussion opened to members of the audience.

Bob Fitch, representing Minnesota Nursery & Landscape Association addressed the Board.

Mike Ahern, representing Minnesota Telecom Alliance, addressed the Board.

Mike Martin, representing Minnesota Cable Communication Association, addressed the Board.

Tony Mendoza, Counsel to the Minnesota Cable Communication Association, addressed the Board. The proposed alternative rules language changes they submitted were reviewed.

Kevin Wilkins, Manager for licensing and certification for DLI, addressed the Board.

Legge gave an overview of the options the Board has available to them regarding the proposed rule language submitted by counsel for the Minnesota Cable Communication Association. Legge also stated the options the Governor has for approval and veto regarding the proposed rules.

Gary Thaden, representing the National Electrical Contractor's Association, addressed the Board.

Judi Rubin, representing the Minnesota Electrical Association, addressed the Board.

Scott Nutting, representing the Contractor Electrical Inspectors' Association, and as a continuing education provider, addressed the Board.

David Fisch, representing MNESTA, addressed the Board.

The meeting took a break at 10:45 and reconvened at 10:55 a.m.

The motion on the table was voted upon. The vote was Vespa, Huxford, Friechels, Seanger, Malooly, Owen, Klein, and Schultz voting Aye. McConnell voted Nay. The majority ruled and the motion passed.

Malooly asked if it could be added to the next Board's agenda to discuss approaching the Legislature to return monies to the Department that are now being taken from the Department of Labor and Industry and given to the General Fund to improve enforcement; and also note in these Minutes that the discussion will be up coming.

B. Reciprocal agreements –

- i. Update on MN State Master Reciprocity Agreement (with ND, NE, SD) – Schultz pointed out that copies of the Agreements which were signed by all parties for North Dakota and Nebraska were included in today's packet. Schultz gave an update on the Multi State Reciprocal annual meeting being held in New Hampshire which ends today. He stated he hopes to have a report on the Minutes of that meeting at the next Board meeting.
- ii. Update on South Dakota's ICC exam – there were no updates.
- iii. Update on Multi State Reciprocity Agreement – there were no updates.

VI. Committee Reports

- A. Construction Codes Advisory Council – Tom Seanger stated the Council has not met since the last Board meeting. The next scheduled meeting is September 17, 2009.

VII. Complaints

There have been no formal complaints to the Board.

VIII. Open Forum

There were no further requests for Open Forum.

IX. Board Discussion

Schultz gave an update on the Department of Labor and Industry's layoff of 11 Construction Code and Licensing Division employees and the reassigning of 3 electrical area representatives to performing electrical inspections.

McConnell stated that he wanted it noted for the record that the reason he voted negatively on the motion to accept the proposed changes as discussed at the meeting on July 28, 2009, hand

marked on the Revisor's version dated 5/21/09; and deleting the word "supervising" on line 18.9, was because he felt that two hours of continuing education for consideration of the low voltage industry was "dumbing it down" for the high voltage industry.

X. Announcements

A. Next Regularly Scheduled Meetings

- i. Tuesday, September 8, 2009, 9:00 a.m. – Minnesota Room, DLI
- ii. Tuesday, October 13, 9:00 a.m. – Minnesota Room, DLI
- iii. Tuesday, November 10, 2009, 9:00 a.m. – Minnesota Room, DLI

XI. Adjournment

A motion was made by Freichels, seconded by Seanger, to adjourn the meeting of the Board of Electricity, the vote was unanimous and the motion passed. Board adjourned at 11:30 a.m.

Respectfully Submitted,

Kim Huxford

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