

Board of Electricity

Agenda

November 5, 2007 – 10:00 a.m.

Minnesota Room – Department of Labor and Industry

443 Lafayette Road North, Saint Paul

- I. Call to Order, Commissioner's Designee John Schultz
 - Announcements
 - Welcome by Commissioner Sviggum
 - Introductions
- II. Approval of Meeting Agenda
- III. Approval of Previous Meeting Minutes
- IV. Regular Business
 - a. Presentation of Board Information, Responsibilities, Authorities
 - i. Legal Issues, General Board Information
 - ii. Overview of Rulemaking Process
 - iii. Review of Board Powers, Authority, and Responsibilities
 1. elect its chair, vice-chair, and secretary *See agenda item V (a)*
 2. adopt bylaws that specify the duties of its officers, the meeting dates of the board, and containing such other provisions as may be useful and necessary for the efficient conduct of the business of the board
See Draft Bylaws and agenda item V (b)
 3. adopt the National Electrical Code and amendments thereto

Minnesota Statutes Section 14.125 TIME LIMIT ON AUTHORITY TO ADOPT, AMEND, OR REPEAL RULES.

An agency shall publish a notice of intent to adopt rules or a notice of hearing within 18 months of the effective date of the law authorizing or requiring rules to be adopted, amended, or repealed. If the notice is not published within the time limit imposed by this section, the authority for the rules expires. The agency shall not use other law in existence at the time of the expiration of rulemaking authority under this section as authority to adopt, amend, or repeal these rules. An agency that publishes a notice of intent to adopt rules or a notice of hearing within the time limit specified in this section may subsequently amend or repeal the rules without additional legislative authorization.

Status of current rulemaking

- *First step – "Request for Comments" published July 2, 2007*
- *Next step – Board must pass a motion to move forward* *See agenda item V (c)*

4. Review requests for final interpretations and issue final interpretations of the Minnesota Electrical Code *See Section 16B.63 (326B.127)*
5. adopt rules that regulate the licensure or registration of electrical businesses, electrical contractors, master electricians, journeyman electricians, Class A installer, Class B installer, power limited technicians, and other persons who perform electrical work

The following rules are within this authority

- 3800.3520
- 3800.3530
- 3800.3540
- 3800.3550
- *New registration of unlicensed worker rules.*
- *First step – Publish Request for Comments* *See agenda item V (d)*

6. adopt rules that regulate continuing education for individuals licensed or registered as electrical businesses, electrical contractors, master electricians, journeyman electricians, Class A installer, Class B installer, power limited technicians, and other persons who perform electrical work

The following rules are within this authority

- 3800.3600 – 3603
- *Need to change Power Limited Technician requirements to correlate with the change to the 16 hour requirement.*
- *Amend to include registered workers.*
- *First step – Publish Request for Comments* *See agenda item V (e)*

7. advise the commissioner regarding educational requirements for electrical inspectors

Except for continuing education requirements for renewal of an inspector's electrician license, there currently are no educational requirements as part of the Request for Proposal/Professional Contract for inspectors. The division is expanding its education programs to include electrical code. There are 6 one-day programs currently scheduled for next spring.

8. refer complaints or other communications to the commissioner, whether oral or in writing, as provided in subdivision 8 that alleges or implies a violation of a statute, rule, or order that the commissioner has the authority to enforce pertaining to code compliance, licensure, registration, or an offering to perform or performance of unlicensed electrical services

The department will also investigate complaints that are forwarded to the department and not to the Board. There is a need for a streamlined process for the complaints submitted to the Board to be forwarded to the department.

- *Review the new enforcement language that becomes effective December 1, 2007.*
- *There is a split enforcement process based on whether the violation occurred before or after December 1st.*

9. approve per diem and expenses deemed necessary for its members

Review per diem, allowable expenses and procedures. See Bylaws as they relate to “day spent on board business.” Need a process to complete approval in a timely manner. A copy of expense reimbursement provisions in the Commissioner’s Plan is provided.

10. approve license reciprocity agreements

The authority to approve license reciprocal agreements is retroactive to January 1, 2007. Subsequently, the board must reconsider all reciprocal action since January 1, 2007. The board needs to also revisit all of the reciprocal agreements.

- *Review the current agreements and supporting documentation*
- *Master license requirements comparison*
 - *ND – One year as journeyman*
 - *SD – Two years as journeyman*
 - *NE – One year as journeyman*

See agenda item V (f)

11. select from its members individuals to serve on any other state advisory council, board, or committee

Identify membership on the Construction Codes Advisory Council and the function of the council.

- *Review the CCAC language and the council’s purpose.*
- *The Board needs to select a member to serve on this council.*

See agenda item V (g)

12. recommend the fees for licenses and certifications

Fees are required to be in statute and the department can not adopt/change fees in rule.

- *This authority is advisory, not authoritative*
- *Refer to the current fees*

V. Special Business

- a. Election of Officers
 - i. Chair
 - ii. Vice-Chair
 - iii. Secretary
- b. Adoption of bylaws
- c. Amendment of Minnesota Rule 1315.0200, Subpart 1. Electrical Code by adopting the 2008 National Electrical Code
- d. Publish Request for Comments regarding possible amendment to Minnesota Rules 3800.3520, 3800.3530, 3800.3540, 3800.3550 pertaining to license requirements and 3800.35xx registration of unlicensed workers
- e. Publish Request for Comments regarding possible amendment to Minnesota Rules 3800.3600, 3800.3601, 3800.3602 and 3800.3603 pertaining to continuing education
- f. Reciprocal agreement(s)
- g. Appointment of CCAC member

- VI. Committee Reports
- VII. Complaints
- VIII. Open Forum
- IX. Board Discussion
- X. Announcements
 - a. Next Regularly Scheduled Meeting
- XI. Adjournment