

**Board of Electricity  
Meeting Minutes  
October 13, 2009**

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

**Members Present:**

Douglas Fingerson  
Jim Freichels  
Willy Hoskins  
Kim Huxford  
Daniel Klein  
Timothy Malooly  
John McConnell  
John Schultz (DLI Commissioner's Designee)  
Tom Seanger  
Andy Toft  
Joe Vespa

**Staff Present:**

Wendy Legge  
Annette Trnka  
John Williamson  
John Rajkowski  
Kevin Wilkins

**Visitors:**

Gary Thaden  
John Ploetz  
Phil Raines  
Bill Heaney  
Scott Nutting  
None

**Members Available by Teleconference:**

**Members Absent:**

None

**I. Call To Order**

The meeting was called to order by Chair Vespa at 9:04 a.m. and role was taken.

**II. Approval of Meeting Agenda**

A motion was made by Fingerson, seconded by Freichels, to approve the meeting agenda. The vote was unanimous and the motion passed. Klein and Malooly were not present for this vote.

**III. Approval of Previous Meeting Minutes**

A motion was made by Seanger, seconded by Huxford, to accept the previous Meeting Minutes. The vote was unanimous and the motion passed. Klein and Malooly were not present for this vote.

#### **IV. Regular Business**

##### A. Expense Approval

- i. A motion was made by Freichels, seconded by McConnell, to approve Expense Reports and Per Diems. The vote was unanimous, and the motion passed. Klein and Malooly were not present for this vote. Klein arrived at 9:08 a.m. Malooly arrived at 9:09 a.m.

##### B. Enforcement

- i. DOLI Enforcement – additional funding – Schultz gave an overview on DLI's Enforcement Division's budget, including the \$1.5 million transfer the Department of Labor and Industry is required to submit to the General Fund. 2007 Session Laws, Chapter 135, Article 1, Section 16, identifies the 1.5 million dollar transfer of DLI funds to the General Fund. Schultz stated that the electrical industry groups, including the Board of Electricity, could approach Legislators to voice their opinion on this mandatory transfer. Gary Thaden, representing NECA, stated that the industry is drafting a resolution they are asking the Board of Electricity consider and pass, most likely at the Board's next meeting; in addition to requesting the Board's assistance during the next legislative session. Schultz stated that the Department is finalizing its legislative initiatives. Huxford asked if the Department could provide an outline of discussion to ensure all areas of concerns are addressed when speaking to legislators.

#### **V. Special Business**

- A. Fee Restructuring – Schultz presented to the Board the Department of Labor and Industry's proposed fee restructuring which will be proposed at the next Legislative session. – John Ploetz asked if the analysis was done breaking down staff time spent on each area of industry. Schultz stated that a great deal of analysis had been done in the fee restructuring and the end result was to make things more equitable among all license holders. Wilkins stated that the electrical licensing fees were last increased in 1991.
- B. MN Open Meeting Law – Wendy Legge addressed the Board with an example of how an Advisory Board was found to have violated the Open Meeting Law by communicating by e-mail between all members of the Committee which constituted a quorum where a decision was made among members. A quorum is considered 6 people for the BOE.
- C. Discuss Frequency of BOE Meetings. Huxford made a motion, seconded by Klein, to have the Board meet quarterly with the next meeting being held January 12, 2010. The vote was unanimous and the motion passed. Schultz stated that because the Legislature is in session in February, the Board may wish to hold a special meeting between the months of January and April, if the need arises.
- D. Reciprocal agreements –
  - i. Update on MN State Master Reciprocity Agreement (with ND, NE, SD) – Schultz stated that although MN now has agreements in place with North Dakota and Nebraska, there hasn't been further communication with South Dakota regarding their agreement.
  - ii. Update on South Dakota's ICC exam – Due to the concerns that Minnesota stated, several other states expressed concern as to how South Dakota and Texas

administer their ICC exams; subsequently both states have changed their policies on how the exams are administered.

- iii. Update on Multi State Reciprocity Agreement – Schultz stated that he has still not received Minutes from the multi-state conference held in August in New Hampshire.

## **VI. Committee Reports**

- A. Construction Codes Advisory Council – John Schultz gave an update on the Construction Code Advisory Council’s September meeting.

## **VII. Complaints**

There have been no complaints to the Board.

## **VIII. Chapter 3800**

- A. Chapter 3800 (Electrical Licensing & Continuing Education)
  - i. Update on Proposed Rules. – Legge stated that on October 12<sup>th</sup> the Notice of Adoption was published in the *State Register* and the rules will become effective October 19, 2009. Wilkins then addressed the Board regarding implementation by the Licensing Department, stating the renewal notices going out now to Registered Unlicensed individuals state the continuing education requirements.

## **IX. Open Forum**

Bill Heaney asked if since the Board was going to quarterly meetings, could the draft Minutes be sent to interested parties. After discussion, the Chair stated the draft Minutes would be sent to Board members and interested parties as soon as they are approved by the Board Secretary.

Scott Nutting asked if he understands the requirements for continuing education correctly; that Registered Unlicensed workers will have the next 12 months in order to satisfy the two hours of continuing education at the time that they next renew; to which Kevin Wilkins of DLI stated that was correct.

## **X. Board Discussion**

There was no further Board discussion.

## **XI. Announcements**

- A. Next Regularly Scheduled Meetings
  - i. Tuesday, January 12, 2010, 9:00 a.m. – Minnesota Room, DLI
  - ii. Tuesday, April 13, 2010, 9:00 a.m. – Minnesota Room, DLI
  - iii. Tuesday, July 13, 2010, 9:00 a.m. – Minnesota Room, DLI
  - iv. Tuesday, October 12, 2010, 9:00 a.m. – Minnesota Room, DLI

## **XI. Adjournment**

A motion was made by Freichels, seconded by McConnell, to adjourn the meeting of the Board of Electricity, the vote was unanimous and the motion passed. Board adjourned at 10:26 a.m.

Respectfully Submitted,

*Anthony Toft*

Anthony Toft