

**Board of Electricity**  
**Meeting Minutes**  
**Tuesday, Jan. 14, 2014, 9 a.m.**  
**Minnesota Room, Department of Labor and Industry**  
**443 Lafayette Road, St. Paul, MN 55155**

**Members Present:**

John Schultz  
Andy Toft  
Dan Westberg  
Jim Freichels  
Joe Vespa *via telephone*  
John McConnell  
Kim Huxford  
Willy Hoskins  
Laura Karow  
Scott Novotny

**Members Absent:**

Doug Fingerson  
Dan Klein

**DLI Staff and Visitors:**

Bill Bierman – (DLI)  
Lyndy Lutz – (DLI)  
Chloe Abuzeni (Extern-William Mitchell)  
Suzanne Todnem (DLI)  
Ed Nelson (IBEW 110)  
Phil Raines (ABC)  
Clara DeRosier (MEA)  
Judi Rubin (MEA)  
Scott Nutting (CEIA)  
Russ Ernst (MNESTA)  
Dale Fisch (MNESTA)

**I. Call to Order**

The meeting was called to order at 9:20 a.m. by Chair Toft. Roll call was taken by Secretary Huxford with Joe Vespa present via telephone; a quorum was declared. Bierman announced Suzanne Todnem; DLI attorney working on department rulemaking, including current proposed rules for the Board of Electricity. He also announced Chloe Abuzeni; legal intern and law student at William Mitchell Law School working with DLI's office of General Counsel. Scott Novotny arrived after roll call was taken.

**II. Approval of Meeting Agenda**

**A motion was made by Karow, seconded by Westberg, to approve the agenda. The vote was taken aloud and was unanimous; the motion carried.**

**III. Approval of Previous Meeting Minutes**

**A motion to approve the minutes was made by Freichels, seconded by Westberg, noting a typo to strike Dan Westberg from the Members Present column of the 10/8/2013 meeting minutes. The vote was taken aloud and was unanimous; the motion carried.**

#### IV. Regular Business

- a. **Expense Approval** – Toft reviewed and approved the per diem and expenses. **A motion made by McConnell, seconded by Freichels, to approve per diem and expenses. The vote was taken aloud and was unanimous; the motion carried.**
- b. **Enforcement** – Enforcement actions are available on the department’s website: <http://www.dli.mn.gov/CCLD/Enforcement.asp>
- c. **E-Licensing and e-TRAKIT** – Schultz provided updates  
**E-Licensing:** Contractor renewal license packets were mailed – online renewal process is quick and easy although bonds need to be submitted separately. Online renewal percentages will be available in March.  
**e-TRAKIT:** Approximately 70% of permits were filed electronically. DLI collected \$4,593,374 in electrical inspection fees through the end of December (half of the fiscal year) – very similar figures compared to last year. The number of permits was slightly lower but the fees collected were relatively the same. The reason for the decline was 5,000 to 7,000 fewer permits relating to load management work done with Xcel Energy; monies were made up by larger projects.

#### V. Special Business

- a. **Update on Reciprocal Agreements**  
Schultz – Legislators from Wisconsin are attempting to align their electrical licensing laws with Minnesota. Wisconsin continues to amend their statutes and Schultz believed that the department could enter into those agreements if Wisconsin changes their laws.
- b. **Update on satellite system installer continuing education and certification program rule adoption**  
Bierman gave an update. The Request for Comments has been published – comments were received and the Rule was modified slightly. The latest draft of the Rule, dated 01/08/14, was provided to the members and Bierman directed the board members to grant Chair Toft the authority to continue with the rest of the Rulemaking process. He referred to the “Certificate of the Board of Electricity Authorizing Resolution” – after this document is signed by Chair Toft it would become a part of the Rulemaking record. Bierman noted the changes between drafts of Rule 3800.3602 (RD #4131) occurred in Subp. 3 of 3800.3603 regarding “educational programs”; 3800.3604 was aligned to match the statute – changed qualification to read “certification” in line 2.15 of the 1/8/2014 draft; 3800.3605, Subp. 4’s definition of “Survey” was changed to read in list form; and he concluded that in Rule 3800.3607, Subp. 2, Item D, a time period was added to correct a deficiency.

Schultz provided a brief overview – The statute that relates to Satellite System Installers provides a qualification for applicants that have completed a certification or training program, primarily by the Broadcast Communication Association. This becomes a local alternative that enables a training provider to have a similar program to be used as an

alternative for the certification/qualification of an applicant to take that license examination. It is modeled after similar rules that the Board of Electricity adopted prior to 2005 that related to technical college programs both for journeyman electrician and power limited technician qualifications. The new rule is simpler with only 20 hours of actual instruction time, allows a way to control programs, assure they are approved, and is based on a similar syllabus of the Broadcast Communication Association. Licenses are for two years with 4 hours of continuing education for renewal. Enforcement actions will be in place to assure compliance. There appears to be some misinformation in the industry regarding whether a license is required if certification is obtained through the Broadcast Communication Association – certification is only a qualifier in order to take the license exam in Minnesota and the license is also required.

**Friechels made a motion to authorize Chair Toft to sign the Resolution to adopt items 1, 2, and 3 of the Proposed Rules Relating to Satellite System Installers Continuing Education Requirements and Satellite Installer Certification Programs, seconded by Schultz. The vote was taken aloud and was unanimous; the motion carried.**

**c. Update on adoption of the 2014 National Electrical Code**

Bierman provided an update of Rule Draft 4205 (chapter 1315) dated 12/17/13. The Board is simply proposing adoption of the 2014 edition of the National Electrical Code to replace the previous rule which was adopted in the 2011 code version. No amendments were proposed to the 2014 code; they are simply adopting by reference. Some stakeholders supported an amendment to seek an effective date of July 1, 2014. In the Request for Comments period zero comments were received; the board should be able to move forward without a hearing. Schultz added that the 2014 Electrical Code can be found online at <http://www.nfpa.org/press-room/news-releases/2013/nfpa-releases-2014-national-electrical-code>

**A motion was made by Freichels to authorize Chair Toft to sign the Resolution to adopt items 1, 2 and 3 of the 2014 National Electrical Code, seconded by Hoskins. The vote was taken aloud and was unanimous; the motion carried.**

**d. Construction Industry Conference on February 6, 2014.**

Schultz provided an update – The department is participating in a construction industry conference – an opportunity for networking, 1-on-1 discussions with agency experts, and informative information regarding industry requirements. Registration is \$99 and includes continental breakfast and a served lunch. Detailed information can be found at: <http://www.doli.state.mn.us/construction/main.asp>

**VI. Committee Reports**

Schultz made a comment on the Construction Codes Advisory Council – the department is working on amendments to the state building code with a number of chapters being worked on concurrently. Rulemaking processes can be tracked on the department’s website at: <http://www.dli.mn.gov/Rulemaking.asp>

**VII. Complaints**

No complaints brought forth

**VIII. Open Forum**

No comments or issues brought forward

**IX. Board Discussion**

Schultz – the legislature will be going into session next month and the department will have a very limited legislative initiative. There is one reference change to the Electrical Inspection statutes: Subdivision 11 (g) of 326B.37, Inspection Fee Schedule, relating to carnivals and other transitory inspections, that currently reads “paragraphs (a) and (b)”; the revision will read “paragraphs (b) and (c)”. Board members responded aloud that they had nothing to add to the discussion with Vespa thanking the board for allowing voting by roll call to include him.

**X. Announcements**

Next Regularly Scheduled Meeting (subject to change)

- **Tuesday, April 8, 2014 @ 9:00 a.m. – Minnesota Room, DLI**

**XI. Adjournment**

**A motion was made by Huxford, seconded by Hoskins, to adjourn at 10:02 a.m. The vote was taken aloud and was unanimous; the motion carried.**

Respectfully Submitted,

*Kim Huxford*

Kim Huxford  
Secretary

1.1 **Department of Labor and Industry**

1.2 **Board of Electricity**

1.3 **Proposed Permanent Rules Relating to Satellite System Installers Continuing**  
1.4 **Education Requirements and Satellite System Installer Certification Programs**

1.5 **3800.3602 REQUIREMENTS FOR RENEWAL OF ELECTRICIAN, SATELLITE**  
1.6 **SYSTEM INSTALLER, AND POWER LIMITED TECHNICIAN LICENSE AND**  
1.7 **RENEWAL OF REGISTERED UNLICENSED INDIVIDUAL REGISTRATION.**

1.8 [For text of subp 1, see M.R.]

1.9 Subp. 2. **Hours of instruction.**

1.10 A. Within the term and prior to the renewal of ~~an electrician or power limited~~  
1.11 ~~technician~~ an individual license identified in this subpart and subpart 5, each holder of  
1.12 a license shall receive credit for instruction through one or more educational programs  
1.13 as required by this part. Credit for an educational program may only be used once for a  
1.14 specific renewal of ~~an electrician~~ a license. Where a licensee holds more than one type of  
1.15 ~~electrician~~ license, the same credits for hours of instruction may be applied to each license.

1.16 [For text of item B, see M.R.]

1.17 [For text of subps 3 and 4, see M.R.]

1.18 Subp. 5. **Satellite system installer renewal.** The department shall not renew the  
1.19 license of a satellite system installer unless the applicant received credit for four hours of  
1.20 instruction on the NEC through one or more educational programs as required by this part.

1.21 **3800.3603 CREDIT FOR INSTRUCTION.**

1.22 [For text of subps 1 and 2, see M.R.]

1.23 Subp. 3. **Exception to preapproval.** Notwithstanding subparts 1 and 2, educational  
1.24 programs that are offered in other states and not granted prior approval according to  
1.25 this part shall be considered for credit if the department is provided with evidence that

2.1 the educational program meets the requirements of part 3800.3602 and is approved for  
2.2 continuing education credit by a public authority licensing electricians, satellite system  
2.3 installers, or power limited technicians in the other state.

2.4 [For text of subp 4, see M.R.]

2.5 Subp. 5. **Qualifications of instructors.** All educational programs shall be conducted  
2.6 by department-approved instructors who have the qualifications described in at least  
2.7 one of the following items:

2.8 [For text of items A to C, see M.R.]

2.9 D. for technology systems and satellite broadcast communication systems, an  
2.10 instructor certified by a national training program.

2.11 [For text of subps 6 to 8, see M.R.]

## 2.12 **SATELLITE SYSTEM INSTALLER CERTIFICATION PROGRAMS**

### 2.13 **3800.3604 PURPOSE.**

2.14 Parts 3800.3605 to 3800.3613 establish requirements for approval of programs that  
2.15 may be used to fulfill the certification requirement for satellite system installer license  
2.16 applicants.

### 2.17 **3800.3605 DEFINITIONS.**

2.18 Subpart 1. **Scope.** For the purposes of parts 3800.3604 to 3800.3613, the terms  
2.19 defined in this part have the meanings given them.

2.20 Subp. 2. **Program.** "Program" means a satellite system installer certification program.

2.21 Subp. 3. **Student and instructor contact.** "Student and instructor contact" means  
2.22 that the student and instructor are present at the same classroom location while the  
2.23 instructor is providing instruction.

3.1 Subp. 4. Survey. "Survey" means a collection of information to assess compliance  
3.2 with parts 3800.3604 to 3800.3613. The commissioner may analyze information by  
3.3 multiple methods, including review of:

3.4 A. requested information and materials;

3.5 B. on-site evaluation; or

3.6 C. interviews and conferences with program administrators, instructors, or  
3.7 students.

3.8 **3800.3606 SATELLITE SYSTEM INSTALLER CERTIFICATION PROGRAM.**

3.9 To qualify for approval, a program must have at least 20 hours of student and  
3.10 instructor contact time meeting the program content described in part 3800.3612.

3.11 **3800.3607 APPLICATION FOR PROGRAM APPROVAL.**

3.12 Subpart 1. Content. An application for approval of a program must meet each of  
3.13 the requirements in items A to G.

3.14 A. The application must be in a format provided by the commissioner and  
3.15 contain complete, current, and accurate information.

3.16 B. The application must include a syllabus for the entire program.

3.17 C. The application must include a detailed written description of how the  
3.18 program meets the required program content.

3.19 D. The application must identify program instructors and their qualifications.

3.20 E. The information in the application must be able to be confirmed by a survey.

3.21 F. The information must identify the total hours of instruction and examination.

3.22 G. The application must be signed by the administrator or another official  
3.23 representative of the applicant.

4.1 Subp. 2. Processing. The commissioner shall review all applications. Items A to D  
4.2 apply to all applications.

4.3 A. Incomplete applications must be returned to the applicant.

4.4 B. Upon review of completed applications, including completion of a survey,  
4.5 any deficiencies must be noted and identified to the applicant.

4.6 C. If no deficiencies are noted or all identified deficiencies have been corrected  
4.7 and resubmitted, the commissioner shall approve the program.

4.8 D. If the applicant fails to correct identified deficiencies within 60 days of being  
4.9 notified of the deficiencies, the commissioner must not approve the program.

4.10 **3800.3608 REPORTING AND REAPPLICATION FOR APPROVAL.**

4.11 A. By July 1 of each year, the administrator of an approved program shall  
4.12 provide an annual report to the commissioner. The annual report must include a copy of  
4.13 the syllabi for approved programs, including a detailed description of modifications to  
4.14 the program and identification and qualification of instructors. The annual report must be  
4.15 signed by the official representative of the program provider.

4.16 B. The administrator of an approved program must reapply for approval by July  
4.17 1 of the fifth year from the last approval date. The time period for reapplication may be  
4.18 modified and assigned at the discretion of the commissioner.

4.19 C. The administrator of an approved program shall provide information as part  
4.20 of a survey upon request of the commissioner.

4.21 D. The administrator of an approved program shall notify the commissioner  
4.22 when an approved program is discontinued.

5.1 **3800.3609 REMOVAL OF APPROVAL.**

5.2 A. The commissioner shall remove approval of a program based on a  
5.3 determination by a survey that the program does not meet the requirements for approval.

5.4 B. The commissioner may remove approval of a program if the administrator of  
5.5 an approved program fails to provide the annual report according to part 3800.3608, item A.

5.6 C. The commissioner may remove approval of a program if the administrator of  
5.7 an approved program fails to resubmit the program for reapplication by July 1 of the fifth  
5.8 year from the last approval date or the year assigned by the commissioner as allowed by  
5.9 part 3800.3608, item B.

5.10 **3800.3611 VERIFICATION OF COMPLETION.**

5.11 The provider shall provide individuals that successfully complete an approved program  
5.12 a certificate of completion. Upon inquiry by the commissioner, the provider of an approved  
5.13 program shall provide verification that an applicant has completed an approved program.

5.14 **3800.3612 SATELLITE SYSTEM INSTALLER CERTIFICATION PROGRAM**  
5.15 **CONTENT.**

5.16 Subpart 1. **Contact hours.** A program shall consist of a minimum of 20 hours of  
5.17 student and instructor contact time with a minimum of four hours on National Electrical  
5.18 Code instruction.

5.19 Subp. 2. **Completion requirement.** The program must require the individual to  
5.20 complete the entire program to be issued a certificate of completion.

5.21 Subp. 3. **Technical content.** A program must include instruction on the following  
5.22 knowledge and skill areas:

5.23 A. electrical theory;

5.24 B. electronic theory;

5.25 C. grounding;

- 6.1 D. electrical code;
- 6.2 E. electrical test equipment and troubleshooting;
- 6.3 F. wiring methods;
- 6.4 G. conductors and cables;
- 6.5 H. tools, materials, and handling;
- 6.6 I. electrical and job site safety;
- 6.7 J. related mathematics; and
- 6.8 K. satellite antenna systems.

6.9 Subp. 4. **Examination.** An approved program must include an examination  
6.10 consisting of at least 50 questions. The examination must not be included in the student  
6.11 and instructor contact requirement under subpart 1. Individuals must score a minimum of  
6.12 80 percent on the examination to successfully complete the program.

6.13 **3800.3613 QUALIFICATIONS OF INSTRUCTORS FOR SATELLITE SYSTEM**  
6.14 **INSTALLER CERTIFICATION PROGRAMS.**

6.15 An instructor for a program shall meet one or more of the following requirements:

6.16 A. hold a license issued by the commissioner as a Class A master electrician,  
6.17 Class A journeyman electrician, power limited technician, or satellite system installer;

6.18 B. hold a current license issued by an electrical licensing authority in the state  
6.19 where the school is located if the state has a reciprocal agreement with the commissioner  
6.20 for either master or journeyman electrician, power limited technician, satellite system  
6.21 installer, or an equivalent license;

6.22 C. be a certified instructor for a nationally recognized training program; or

6.23 D. be a technical expert based on special training, certification, or accreditation  
6.24 in the specific knowledge or skill area.

**Minnesota Board of Electricity**

**CERTIFICATE OF THE BOARD OF ELECTRICITY AUTHORIZING RESOLUTION**

**Proposed Rules Relating to Satellite System Installers Continuing Education Requirements and Satellite System Installer Certification Programs**

I, Anthony C. Toft, certify that I am a member and the Chair of the Board of Electricity, a Board authorized under the laws of the State of Minnesota; that the following is a true, complete, and correct copy of a resolution that the Board of Electricity adopted at a properly convened meeting on January 14, 2014; that a quorum was present; and that a majority of those present voted for the resolution, which has not been rescinded or modified. The Board resolved the following:

1. The Chair of the Board of Electricity, is authorized and directed to sign and to give the Notice of the Board's Intent to Adopt Rules using Alternate Notices of whether a hearing will be held in the Revisor of Statutes draft, Revisor's ID Number R-04131, dated 01/08/14, identified as Minnesota Rules, parts 3800.3602 – 3800.3613, with any modifications approved by the Board. The Chair must give this notice to all persons who have registered their names with the Board for that purpose. The Chair must also publish the Notice in the State Register. Furthermore, the Chair is authorized and directed to do anything else needed to complete this Notice.
2. If there are fewer than 25 outstanding hearing requests, the Chair of the Board of Electricity is authorized and directed to sign the Order Adopting Rules and to do anything else needed to adopt these rules without a hearing.
3. The Chair of the Board of Electricity is authorized and directed to act as the Board's representative at the hearing, if one is required, and do anything else needed to adopt these rules with a hearing. This includes authority to sign the Order Adopting Rules if there are no modifications to the rules other than modifications approved by the Board.

1-14-14  
January 14, 2013

  
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Anthony C. Toft, Chair  
Minnesota Board of Electricity

1.1 **Department of Labor and Industry**

1.2 **Proposed Permanent Rules Adopting the 2014 National Electrical Code**

1.3 **1315.0200 SCOPE.**

1.4 Subpart 1. **Title.** This chapter shall be known and cited as the "Minnesota Electrical  
1.5 Code."

1.6 ~~Subpart 1~~ Subp. 1a. **Electrical code.** All new electrical wiring, apparatus, and  
1.7 equipment for electric light, heat, power, technology circuits and systems, and alarm and  
1.8 communication systems must comply with the regulations contained in the ~~2011~~ 2014  
1.9 edition of the National Electrical Code (NEC) as approved by the American National  
1.10 Standards Institute (ANSI/NFPA ~~70-2011~~ 70-2014), Minnesota Statutes, section 326B.35,  
1.11 and the Minnesota State Building Code as adopted by the commissioner of labor and  
1.12 industry. The ~~2011~~ 2014 edition of the National Electrical Code, developed and published  
1.13 by the National Fire Protection Association, Inc., is incorporated by reference and made  
1.14 part of the Minnesota State Building Code. The National Electrical Code is not subject to  
1.15 frequent change and is available in the office of the commissioner of labor and industry,  
1.16 from the Minnesota Bookstore, 660 Olive Street, Saint Paul, MN 55155, through public  
1.17 libraries, from major bookstores and other retail sources, or from National Fire Protection  
1.18 Association, Inc., One Batterymarch Park, Quincy, MA 02169-7471.

1.19 Subp. 2. [Repealed, 12 SR 102; 12 SR 151]

1.20 **EFFECTIVE DATE.** These amendments are effective July 1, 2014, or five days  
1.21 after publication of the amendments' notice of adoption in the State Register, whichever is  
later.

## Minnesota Board of Electricity

### CERTIFICATE OF THE BOARD OF ELECTRICITY AUTHORIZING RESOLUTION

#### Proposed Permanent Rules Adopting the 2014 National Electrical Code Rules, Minn. Rule Part 1315.0200

I, Anthony C. Toft, certify that I am a member and the Chair of the Board of Electricity, a Board authorized under the laws of the State of Minnesota; that the following is a true, complete, and correct copy of a resolution that the Board of Electricity adopted at a properly convened meeting on January 14, 2014, that a quorum was present, and that a majority of those present voted for the resolution, which has not been rescinded or modified. The Board resolved the following:

1. The Chair of the Board of Electricity, is authorized and directed to sign and to give the Notice of the Board's Intent to Adopt Rules using Alternate Notices of whether a hearing will be held in the Revisor of Statutes draft, file number RD4205, dated 12/17/13, identified as Minnesota Rules, parts 1315.0200, with any modifications approved by the Board. The Chair must give this notice to all persons who have registered their names with the Board for that purpose. The Chair must also publish the Notice in the State Register. Furthermore, the Chair is authorized and directed to do anything else needed to complete this Notice.
2. If there are fewer than 25 outstanding hearing requests, the Chair of the Board of Electricity is authorized and directed to sign the Order Adopting Rules and to do anything else needed to adopt these rules without a hearing.
3. The Chair of the Board of Electricity is authorized and directed to act as the Board's representative at the hearing, if one is required, and do anything else needed to adopt these rules with a hearing. This includes authority to sign the Order Adopting Rules if there are no modifications to the rules other than modifications approved by the Board.

1-14-14  
January 14, 2014

  
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Anthony C. Toft, Chair  
Minnesota Board of Electricity