

**ELECTRICIANS' EXAMINING BOARD  
MEETING MINUTES**

Meeting Date: March 21, 2014  
Meeting Location: Androscoggin Room, State of Maine – Gardiner Annex  
Northern Avenue, Gardiner, Maine

Meeting Began: 8:10 a.m.

Roll Call of Officers:

The following members were present:

Brian McDougal  
Gerard Caron  
Don Berry  
Peter Wilson

The following members were absent:

Ryan Morgan  
Earl Sherwood

Staff Present:

Catherine Carroll, Board Administrator  
Robert LeClair, Manufactured Housing  
Patrick Ouillette, Senior Electrical Inspector  
Peter Pelletier, Electrical Inspector  
Dora Hickey, Board Clerk

AAG Present:

Christopher Mann

Hearing Officer:

Rebekah Smith

**Board Meeting Minutes**

A motion was made to table accepting the January 17, 2014 minutes until the April 18, 2014 meeting when Ryan Morgan can participate in a motion and vote.

Motion: Gerard Caron  
Second: Don Berry  
Abstained: Peter Wilson  
Motion Carried

A motion was made to accept the February 21, 2014 minutes as written.

Motion: Peter Wilson  
Second: Don Berry  
Unanimous

### **License Reinstatements**

#### **Philip W. Denault – Journeyman license expired 12/31/11**

Philip DeNault did not appear at the meeting. The Board did not discuss the reinstatement request. Mr. DeNault will be notified by the staff that he will not be re-scheduled until a request is made by Mr. DeNault.

#### **Christian P. Martens – Master license expired 2/28/2011**

Christian Martens explained he allowed his master license to expire for personal reasons.

A motion was made to reinstate Christian Martens master electrician's license according to Board policy. The reinstatement payment and a 15-hour 2014 NEC are to be completed within six months.

Motion: Gerard Caron  
Second: Don Berry  
Unanimous

### **Code Course Approval**

#### **Francis A. Reno, Jr. 15-Hour 2014 Update**

Brian McDougal recommended denying the application from Francis A Reno, Jr. for the following reasons: 1) the application is unsigned, 2) there is no verification of a Massachusetts provider number, 3) there is no list of the changes to the 15-hour 2014 NEC and 4) there is no sample certificate for the completed course.

A motion was made to deny Francis A. Reno, Jr. because the application is incomplete.

Motion: Peter Wilson  
Second: Gerard Caron  
Unanimous

#### **LeBlanc Consulting Service – 15-Hour 2014 NEC**

Brian McDougal recommended accepting LeBlanc Consulting Services renewal application to teach a 2014 15-hour NEC.

A motion was made to accept LeBlanc Consulting Services' renewal application.

Motion: Don Berry  
Second: Peter Wilson  
Unanimous

**McCann Technical School/Donald E. Tatro and Ronald J. Pierce – 15-Hour 2014 NEC**

Brian McDougal recommended approving McCann Technical School as a provider for the 15-hour 2014 NEC, with Donald E. Tatro and Ronald J. Pierce as instructors, pending verification of Ronald Pierce's teacher license.

Motion: Don Berry  
Second: Gerard Caron  
Unanimous

**Adjudicatory Hearing**

**2013-ELE-9052 – Bruce Willette** – The hearing commenced at 9:10 a.m. and closed for deliberation at 10:05 a.m. Bruce Willette was present but not represented by counsel. Bruce Willette left the meeting during the deliberation.

A motion was made to find violations for combined conditions of #1-3.

Motion: Peter Wilson  
Second: Don Berry  
Unanimous

A motion was made to find a violation for condition #4.

Motion: Don Berry  
Second: Gerard Caron  
Unanimous

A motion was made to find a violation for condition #5.

Motion: Don Berry  
Second: Gerard Caron  
Unanimous

The Board discussed the sanctions for the violations. Violations #1, #2 and #3 were combined and assessed for \$100.00, collectively. Violation # 4 was assessed for \$500.00 and no penalty was assessed for Violation # 5.

A motion was made to sanction Violations #1-3, collectively, in the amount of \$100.00, violation # 4 in the amount of \$500.00 and assess no monetary penalty for Violation #5. Fines are to be paid in full within six months of a fully executed Decision and Order.

Motion: Peter Wilson  
Second: Don Berry  
Unanimous

### **Senior Inspector's Report**

Patrick Ouillette presented annual statistics of inspections performed by the staff of state electrical inspectors and permits issued in calendar year 2013. A total of 3945 inspections were performed by the inspection staff in 2013. A total of 2456 commercial permits were issued, slightly more than in the previous year. Of these, 87% were inspected at least once. Temporary service inspections and multiple repeated inspections (e.g. multiple cable TV services installed by the same electrician) are sometimes not inspected because of the workload of the state electrical inspectors. Patrick also asked whether the Board's statutes exempt "telephone skids" from permitting.

### **Rulemaking**

*Proposed Amendments to Chapter 120 – Electrical Installations* - Patrick Ouillette presented the draft language in Chapter 120 that would incorporate the 2014 NEC. The proposed amendments are practically identical to the 2011 NEC language that is currently in rule with the exception of changing formatting and numbering consistent with the 2014 NEC's formatting and numbering.

A motion was made to accept the proposed language to Chapter 120 as presented.

Motion: Peter Wilson  
Second: Don Berry  
Unanimous

*Proposed Amendments to Chapter 125 – Scope of Practice* - Catherine Carroll presented proposed deletions of references of "Electrical Companies" requiring a permit. Gerard Caron pointed out that the term "electrical companies" in subsections 3, 4, and 5 should not be deleted, as proposed, and to delete the reference in subsection 8, only. The context of subsection 3, 4, and 5 aptly refers to "electrical companies" and should remain since the provisions in those subsections do not pertain directly to requiring permits.

A motion was made to accept the proposed deletion of subsection 8 and to keep the term "electrical companies" in subsections 3, 4, and 5.

Motion: Gerard Caron  
Second: Don Berry  
Unanimous

Catherine Carroll stated that a proposed amendment to Chapter 135 that the Board recommended at the last meeting be no longer proposed. Catherine explained that amending Chapter 135 to require fuel technicians to obtain electrical permits for limited installations of mini split heat pumps pursuant to a Memorandum of Understanding with the Board and the Maine Fuel Board would be prohibited because there is a provision in the Board's statute that does not give the Board authority to require permits.

Catherine Carroll asked the Board to schedule a public hearing on the proposed amendments to Chapters 120 and 125.

A motion was made to schedule a public hearing on the proposed amendments to Chapters 120 and 125 on May 16<sup>th</sup>.

Motion: Don Berry  
Second: Peter Wilson  
Unanimous

The Board then reviewed the economic impact statement and Executive Order 20 criteria to ensure the proposed amendments to Chapters 120 and 125 are in conformance with Executive Order 20.

A motion was made that the proposed amendments are in conformance with the criteria set forth in the Executive Order.

Motion: Don Berry  
Second: Peter Wilson  
Unanimous

### **Administrator's Report**

Catherine Carroll provided an update on examination development with Prometric, licensing inquiries from servicemen and veterans, the outcome of the March 4<sup>th</sup> occupational licensing fair for veterans, and upcoming occupational licensing events for veterans.

### **Other Business**

Brian McDougal presented a draft letter to the Massachusetts Board of Examiners of Electricians about re-opening discussions on reciprocity for electrician license. The Board reviewed the letter and authorized that it be mailed to Chairman Peter Senopoulos.

### **Adjournment**

A motion was made to close the meeting at 11:30 a.m.

Motion: Gerard Caron  
Second: Don Berry  
Unanimous

Respectively submitted,

Dora Hickey  
Board Clerk