

**IDAHO ELECTRICAL BOARD
VIDEOCONFERENCE MEETING**

Thursday - July 21, 2016 - 9:30 a.m. (MDT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d'Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello**

NOTE: The following report is not a verbatim transcript of the discussions at the meeting;
however, is intended to record the significant features of those discussions.

Chairman Bob Scott called the meeting to order at 9:30 a.m. (MDT)

Board Members Present:

Bob Scott, Chairman
Jeff Wheeler, Vice-Chairman
Rick Stark
Dale Pippitt
Denis Duman
Allan Perman
Greg Eagy
Mark LaBolle

Board Members Absent:

Joe Harbacheck

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator-Operations
Ron Whitney, Deputy Administrator-Administration
Patrick Grace, Deputy Attorney General
Bill Hatch, Public Information Officer
Fred Sisneros, Financial Manager
Jason Black, IT Resource Manager
Warren Wing, Electrical Program Manager
Larry Jeffres, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Chuck Knapp, Regional Supervisor, Region 1
Gary Sonnen, Regional Supervisor, Region 1
Shelly Farris, Regional Supervisor, Region 3
Renee Bryant, Administrative Assistant 2/Board Support

DBS Staff Members Absent:

Terry Blessing, Compliance Program Manager
Adam Bowcutt, Regional Supervisor, Region 3

◆ **Open Forum**

No items or concerns were brought forth.

City and County Concerns – No items or concerns were brought forth.

◆ **Approval of the July 21, 2016 Agenda**

MOTION: Mark LaBolle made a motion to approve the agenda as presented. Dale Pippitt seconded. All in favor, motion carried.

◆ **Approval of the April 21, 2016 Board Meeting Minutes**

MOTION: Jeff Wheeler made a motion to approve the April 21, 2016 minutes. Denis Duman seconded. All in favor, motion carried.

◆ **Negotiated Rulemaking**

This is the second of two public meetings/hearings to consider the adoption of the 2017 National Electrical Code (NEC) and amend the NEC as it pertains to submersible pumps in water. No further testimony was presented at the meeting.

◆ **National Electrical Code**

Tom Brown, B & B Electric and Collaborative Representative, stated the Collaborative recommends the adoption of the 2017 NEC.

A letter by Tim McClintock, National Fire Protection Association (NFPA), on his backing of the adoption of the 2017 NFPA 70 NEC was read into the record.

Dave Yorgason, Building Contractors Association Southwestern Idaho, stated his group supports the 2017 Code assuming there are no more changes that could potentially be harmful to his industry.

Mike Stone, National Electrical Manufacturers Association, and Jeff Fitzloff, Underwriters Laboratory, acknowledged their organizations support to adopt the unamended 2017 NEC.

Brian Cook, Leviton Manufacturing, introduced the company and provided documentation on ground fault circuit interrupters (GFCI). Additional information can be obtained at www.leviton.com.

Steve Kren, Stephen's Electric, suggested the Board wait one year to adopt the 2017 NEC; reviewing the code in its entirety as well as to see how other states feel about the code.

MOTION: Mark LaBolle made a motion to adopt the 2017 NEC with the exceptions identified by the Collaborative. Allen Perman seconded.

Board Member LaBolle was asked to further elaborate on his motion with regard to amendments in the code.

AMENDED MOTION: Mark LaBolle amended his motion to ask the legislature to adopt the 2017 NEC with the new amendment on arc faults and the existing amendments as identified in IDAPA 07.01.06 Rules Governing the Use of the National Electrical Code. Allen Perman seconded. All in favor, motion carried.

◆ **Submersible Well Pumps**

House Bill 643 passed the 2016 legislature; allowing submersible well pumps to be installed in Idaho's lakes, rivers, ponds and streams. The legislation directs the DBS to promulgate rules governing the use, inspection and safety of the pumps.

Tom Bangle, Sandpoint Pump, was Chairman of the Submersible Well Pump Collaborative Committee. Meeting several times, a policy was written based on the 2014 NEC to allow for the permanent installation of directly connected submersible well pumps in bodies of water.

The document in the packet is on the DBS stationery; however, signed by a non-DBS employee. Administrator Pearce requested the following changes be made to the policy: 1) Add Board Member Pippitt's name to the signature page as the designee of the Board, 2) Add Electrical Program Manager Wing's name to the signature page as the Division's representative and 3) Print the policy on regular paper.

MOTION: Dale Pippitt made a motion for the DBS to formulate a temporary rule based on the policy developed by the Collaborative as it pertains to the installation of submersible pumps in open bodies of water and for the Division to begin enforcement upon approval of the rule.

Upon further discussion, it was recommended the proposal be brought back to the October 2016 meeting for the Board's review and approval. It was also suggested, once endorsed the DBS immediately begin enforcement. Board Member Pippitt amended his motion.

AMENDED MOTION: Dale Pippitt amended his motion to request the DBS formulate a temporary rule based on the policy developed by the Collaborative on submersible pumps and bring the proposal to the October 20, 2016 meeting for the Board to review and approve. Upon endorsement of the Board, the Division will begin to inspect and enforce the pumps. Greg Eagy seconded. All in favor, motion carried.

ACTION: The Division will bring to the October 2016 meeting a proposed temporary rule for the Board to review and approve.

ACTION: The topic *Submersible Well Pumps* will be added to the October 20, 2016 Board meeting agenda as an action item.

ACTION: The Division will begin to enforce the proposed temporary rule upon the Board's endorsement at the October 2016 Board meeting.

Pending the actual incorporation of the recommendations into rule format, the Division will use the Collaborative policy as its basis for inspections. The Administrator offered to post the policy on the Division's website.

ACTION: The policy created by the Submersible Well Pump Collaborative will be placed on the Division's website.

◆ **Electrical Apprenticeship Standards**

Matt Rehl, Program Quality Manager, Skills and Technical Sciences, Idaho Career and Technical Center (ICTC), asked the Board to approve the Idaho Electrical Apprenticeship Program Standards as presented in the board packet.

Wendi Secrist, Director, Business Outreach and Idaho SkillStack, ICTC, explained the processes and timelines required to create statewide electrical apprenticeship programs.

MOTION: Jeff Wheeler made a motion to approve the Idaho Electrical Apprenticeship Program Standards as presented. Mark LaBolle seconded. All in favor, motion carried.

◆ **Required Inspections**

Draft rule changes to IDAPA 07.01.08 *Rules Governing Electrical Safety Inspections* were included in the packet. Upon review, the Division agreed to make the following modifications: 1) Add “and receive” to section 004, subsections 1-4. The sentences will read “...the permit holder shall request **and receive** an inspection ...” and 2) Replace the word “improved” with “approved” in the second sentence of section 005. The sentence will read, “...the electrical inspection has been inspected and **approved** ...”.

MOTION: Mark LaBolle made a motion to direct the DBS to proceed with the proposed rule changes as modified during the discussion. Dale Pippitt seconded. All in favor, motion carried.

◆ **Idaho Code -- Title 54 Chapter 10**

A 13-page draft on statute changes was reviewed. Primarily, the proposal would change the fundamental way licensing is handled; bringing consistency among the electrical, HVAC and plumbing trades.

The Division agreed to make the following modifications: 1) Change the word “energizing” to “energization” in Idaho Code (IC) 54-1005(3) and 2) Change the word “license” to “certificate of competency” in IC 54-1010(1) and IC 54-1014.

ACTION: In the draft proposal, the Division will modify the verbiage from “energizing” to “energization” in Idaho Code (IC) 54-1005(3), and from “license” to “certificate of competency” in IC 54-1010(1) and 54-1014.

MOTION: Denis Duman made a motion for the DBS to proceed with the proposed statute changes as presented, and modifications as discussed. Jeff Wheeler seconded. Eight ayes and one nay. Motion carried.

The Division will bring the final language to the October 2016 Board meeting for the Board’s review.

ACTION: At the October 20, 2016 Electrical Board meeting, the Division will provide, and the Board will review, the final draft language on the proposed statute changes.

ACTION: The topic *Idaho Code – Title 54 Chapter 10* will be placed on the October 20, 2016 Board meeting agenda as an informational item.

◆ **Residential Wireman License**

When the recession hit several years ago, many individuals left the electrical trade for other work. With the rise in construction and shortage of journeymen, electrical contractors struggle to abide by the required two-to-one apprentice to journeyman ratio.

Steve Kren, Stephen's Electric, suggested a temporary reprieve from the two-to-one ratio; using a three-to-one ratio with a sunset clause.

The requirement for the two-to-one ratio is in IDAPA 07.01.03.012.02 *Direct Supervision* however, there is language for a contractor to rebut and ask for an exception to the ratio.

The Deputy Administrator-Operations suggested, and the Board agreed, to continue with the two-to-one ratio; however, third and fourth year apprentices with 4,000 hours of verified residential experience and two years of school completion would be excluded from the ratio and supervision requirement. It was also recommended those apprentices not be allowed to supervise.

Upon further discussion, the Board agreed the topic *Apprentice Ratio* will be reviewed at all regularly scheduled board meetings until further notice. The Chairman suggested the topic also be placed as an action item on the agendas.

ACTION: The topic *Apprentice Ratio* will be placed on the October 20, 2016 Board meeting agenda as an action item.

◆ **Homeowners -- Primary or Secondary Residences**

Currently, the statute allows property owners to perform electrical work in their primary or secondary residence or associated outbuildings. The Electrical Program Manager stated the language is too broad and asked to discuss this issue. Also mentioned were two licensed electrical engineers who want to install prototype products on their land. The question posed was should an exemption be created to allow research and development type installations on residential properties. The two individuals did not attend the meeting; therefore, there was no further discussion on this topic.

◆ **Program Manager Report**

Counterfeit Electrical Devices – There have been counterfeit GFCI devices purchased off the internet. A post on this issue is available on the Electrical Program's Facebook page.

Once the Division receives e-mail addresses of Idaho's electrical wholesale supply houses from Board Member Eagy, the Division will provide information on the counterfeit devices for posting on their counters.

ACTION: The Division will provide the counterfeit device information to electrical wholesale supply companies upon receiving e-mail addresses from Board Member Eagy.

Homeowner Policy – On the Division's website, there is a new guideline on the expectations and responsibilities of homeowners performing electrical installations in their primary or secondary residence or in an associated outbuilding. Also, for enforcement purposes, a homeowner must sign a new policy on the homeowner electrical permit application certifying they are the owner of the residential property and will personally perform the work covered by the permit. They recognize the permit is only valid for work in a primary or secondary residence and associated outbuildings not used for commercial purposes or rented by a tenant,

are responsibility for all the work being performed, and understand all work must be inspected by the Division of Building Safety.

Journeyman 1st Exam Attempts Report – The Chairman asked future reports show the results of the previous 12 months only.

ACTION: The Division will update the Journeyman 1st Exam Attempts Report, providing the results of the previous 12 months.

◆ **Compliance Program Supervisor Report**

This topic was not addressed due to a death in the family of the Compliance Program Supervisor.

◆ **Operational Report**

Operationally, the Electrical program is in good shape with no glaring problems.

◆ **Administrator Report**

Building Program – On a daily basis, the Division reviews approximately 12-15 new and/or resubmitted plans and provides 45-50 inspections for the city of Meridian.

Idaho Building Code Board – The Administrator addressed the recent Idaho Building Code Board meeting and the controversy surrounding the adoption of the 2015 IRC and residential portion of the 2015 International Energy Conservation Code.

Damage Prevention Board – The legislature approved an 11-member board under the DBS titled *Damage Prevention Board*. This Board became effective on July 1, 2016. The purpose of the Board is to reduce damages to underground facilities and promote safe excavation practices through education.

School Safety and Security Advisory Board – Effective July 1, 2016, the DBS has a new 13-member board known as the *School Safety and Security Advisory Board*. The Board, along with a new workforce of five DBS staff members, will provide Idaho educators with on-site security assessments and training, identify areas of vulnerability, and provide technical assistance for improvement of safety and security at schools statewide.

Merging of Boards – Effective July 1, 2016, the Manufactured Housing and Modular Building Advisory Boards were combined into a single eight-member Board identified as the *Factory Built Structures Advisory Board*.

Financial Report – The Electrical Board Fund, FY 2016 financial statement as of May 31, 2016, was reviewed.

Electronic Continuing Education Units (CEU) – The Division is in the process of automating CEU credits. An outside carrier will keep track of licensee's CEUs at no cost and the identity of each individual will be by license number only.

Electrical Inspector Supervisor – Shelly Farris was introduced as the Division’s newly appointed Electrical Inspector Supervisor for eastern Idaho.

◆ **Adjournment**

MOTION: Mark LaBolle made a motion to adjourn the meeting. Greg Eagy seconded. All in favor, motion carried.

The meeting adjourned at 2:50 p.m. (MDT)

BOB SCOTT, CHAIRMAN
IDAHO ELECTRICAL BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

10/11/2016rb

DATE