

**IDAHO ELECTRICAL BOARD
VIDEOCONFERENCE MEETING**

Wednesday – July 24, 2019 – 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**

MINUTES OF THE JULY 24, 2019 MEETING

NOTE: The following report is not a verbatim transcript of the discussions at the meeting; however, is 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
Joe Harbacheck
Jim Marchetti
Greg Eagy
Rick Stark
Dale Pippitt
Todd Feusier

DBS Staff Members Present:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Spencer Holm, Deputy Attorney General
Warren Wing, Electrical Program Manager
Larry Jeffres, Regional Manager, Region 1
Adam Bowcutt, Regional Manager, Region 3
Gary Sonnen, Regional Supervisor, Region 1
Shelly Farris, Regional Supervisor, Region 3
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **Recognition**

Being the last meeting as a member of the Idaho Electrical Board, Dale Pippitt was recognized for his many years of service.

◆ **Open Forum**

Apprentice to Journeyman Ratio – City of Lewisville Representative James Ball stated as a small municipality in eastern Idaho, it has a huge issue with labor shortage and skilled trade. Mr. Ball would like to see the apprentice to journeyman ratio raised statewide; allowing more apprentices to be supervised by one journeyman. Currently, there is an exception in rule that allows DBS to adjust the apprentice to journeyman ratio once an electrical contractor shows special circumstances. Mr. Ball was apprehensive that if not allowed throughout the state, there could potentially be unfair advantages. It was suggested Mr. Ball run a bill through the legislature to change the rule.

Civil Penalties – Concerned the civil penalty is not equal to the offense, Mark Zaleski, International Brotherhood of Electrical Workers (IBEW) 291, suggested, and Electrical Program Manager Warren Wing agreed, to discuss, through a collaborative group, potential changes to civil penalties in IDAPA 07.01.011 *Rules Governing Civil Penalties*.

◆ **Approval of the July 24, 2019 Agenda**

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

◆ **Approval of the April 24, 2019 Board Meeting Minutes**

MOTION: Joe Harbacheck made a motion to approve the minutes as written. Todd Feusier seconded. All in favor, motion carried.

◆ **Administrative Appeals Hearing**

Blue Raven Solar, LLC--NOV ELE103-0007, 1803-0008, and 1903-0009811-0001 – Blue Raven Solar paid the fines; however, withdrew its appeals.

◆ **Related Training Providers--Board Approval**

The following training providers have been approved by the Idaho Career and Technical Education (ICTE) as their curriculums align with the standards set forth by the ICTE, DBS and Idaho Electrical Board: 1) College of Eastern Idaho, 2) College of Southern Idaho, 3) College of Western Idaho, 4) DC Electric, Inc., 5) Eastern Idaho Joint Apprenticeship and Training Committee (JATC), 6) Idaho State University, 7) Independent Electrical Contractors of Idaho, 8) Lewis Clark State College, 9) North Idaho College, 10) Southwest Idaho JATC, and 11) Treasure Valley Community College.

MOTION: Rick Stark made a motion to approve the training providers as presented. Greg Eagy seconded. All in favor, motion carried.

◆ **Conduct Negotiated Rulemaking and Vote on Proposed Amendments**

Proposed amendments to IDAPA 07.01.03 *Rules of Electrical Licensing and Registration – General* were provided in the packet. Many of the changes were approved by the Board last year through the collaborative efforts and negotiated rulemaking. The Electrical Program Manager once again brought them up for further discussion.

Apprentice Registration – Addressed were the following changes: 1) Definitions added, 2) Age requirement of 16 added to align with the federal requirement, 3) Excess language, based on the Red Tape Reduction Act, removed, and 4) Requirements to renew yearly registration.

For clarification on the use of the 2,000-work experience and 144 hours of schooling, the verbiage “...since your last renewal.” will be added to the end of the first sentence in IDAPA 07.01.03.012.02.a. In addition, the intention of continued education is for an individual to take eight (8) hours of code update, eight (8) hours of code-related, and eight (8) hours of either an NFPA 70 or OSHA safety course.

Journeyman Examination – Language pertaining to the requirements to take the journeyman exam was removed from the apprenticeship section and placed under section IDAPA 07.01.03.013 *Journeyman Electrician Examination and License*. To correspond with statute, as well as provide a second option to take the journeyman exam, the language “16,000 hours” was added, clarifying eight years of work experience in accordance with the requirements of the jurisdiction in which the applicant obtained the experience.

Journeyman License – A “provisional” journeyman license aligns with statute. The only option for out-of-state applicants is to provide proof of eight (8) years (16,000 hours) of work experience. To obtain a journeyman license, an individual must successfully complete the journeyman exam, as well as have four (4) years of schooling and 8,000 hours work experience OR 16,000 hours of experience. To obtain a “reciprocal” journeyman license, an applicant with a recognized license would need to comply with Section 54-1007(5), Idaho Code.

Mark Zaleski, IBEW 291, expressed concern the requirements for the “provisional” journeyman license for out-of-state individuals with experience working as a journeyman or apprentice for a period of four years was not included in IDAPA 07.01.03.013.02.a, although it was addressed in Senate Bill 1008. There were two similar senate bills, 1008 and 1138, presented at the 2019 legislature. When the changes were adopted, that requirement was not included in the statute.

The Administrator recommended the word “Training” be added to the title in 07.01.03.10, reading *Direct Supervision/Training*. Idaho Code 54-1003A (10) *Provisional Journeyman Electrician* states “...constant on-the-job supervision...”, Mark Zaleski, IBEW 291, suggested “direct supervision” be added to the statute as well.

Apprentice to Journeyman Ratio (Cont’d) – There was further discussion on the apprentice to journeyman ratio with the Electrical Program Manager explaining the process DBS follows to allow three-to-one or four-to-one ratios. Several individuals showed interested in the different levels of apprenticeship, as well as changing the ratio. With discussion on how the Board would like to see the language, Steve Kren, Stephen’s Electric, offered to draft language with an emergency clause for the 2020 legislative session. The Administrator offered, and Mr. Kren agreed, to work together to bring a proposal to the Board for its approval.

To reiterate, the following changes will be made to the draft proposal:

- Page 2 – Subsection 012.01 – Strike the language “...and be a minimum of eighteen (18) years of age or sixteen (16) years of age if registered by the Bureau of Apprenticeship and Training of the United States Department of Labor.”
- Page 3 – Subsection 012.02a – Clarify the schooling requirements before registering by adding the verbiage “during the prior registration period.”
- Page 3 – Subsection 012.02.b – Clarify the 24 hours of continuation training.
- Page 8 – Subsection 015.10 – Add “/Training” to the heading after “Direct Supervision” and the “provisional” journeyman language to the direct supervision.

MOTION: Dale Pippitt made a motion to approve the language as presented with the changes as discussed. Joe Harbacheck seconded. All in favor, motion carried.

◆ **Approval of Pending Rules as Part of Reauthorization Process**

The 2019 legislature neglected to reauthorize all the rules in the state of Idaho. At the request of Governor Brad Little, and at the Electrical Board’s April 2019 meeting, the Board

authorized DBS to move forward with the Notice of Omnibus Rulemaking and Notice of Omnibus Fee Rulemaking for the Electrical Administrative Rules; reinstating the rules on a temporary basis. Upon the completion of a 21-day public review comment period, the Governor again asked boards with rulemaking authority to approve their rules as a “pending” status. The rules will then go before the 2020 legislature for full authorization.

MOTION: Rick Stark made a motion to approve the existing rules to a pending status. Greg Eagy seconded. All in favor, motion carried.

◆ **Military Licensing**

At the 2019 legislature, House Bill 248 passed regarding the granting of licenses to those having experience from the military. DBS will run a rule during the 2020 legislative session to expedite applications/licenses for recently discharged military members, veterans, and spouses.

◆ **Program Manager Report**

Authority Having Jurisdiction Monthly Meetings – To create consistency across the state with codes, the Division continues to host the statewide meeting the second Wednesday of every month. DBS has begun to see more municipalities attending the meetings.

Classes – Electrical Program Manager Wing recently held free classes in north Idaho on updated statute and rules. In September 2019, classes will continue to be provided in eastern Idaho.

Meetings/Conference – In August 2019, the Electrical Program Manager will attend the annual meeting of the National Electrical Reciprocal Alliance (NERA) in Salt Lake City, Utah, as well as the annual meeting of the 2019 International Association of Electrical Inspectors (IAEI) Northwest Section 92nd Annual Section in Phoenix, Arizona.

Master Electrician Licenses – Several out-of-state electrical contractors are working in Idaho; however, buying/using master electrician licenses that live several hundred miles away. The Division is actively pursuing this issue; sending Notice of Contemplated Actions (NOCA) to the illegal contractors and individuals selling their licenses.

Plan Reviews – To keep the turnaround on plan reviews to under ten days, DBS has hired one new plans examiner.

Apprentice to Journeyman Ratio (Cont'd) – Chairman Scott requested the Division send an email to the Board when granting ratio concessions. The Division will also post on the Electrical Program’s webpage the electrical contractors that have applied for, and received, an apprentice ratio adjustment.

◆ **Compliance Program Report**

Compliance – Reports continue to stay steady with more and more unlicensed individuals working in Idaho.

Outreach – Earlier in July, Compliance Program Specialist Amy Kohler traveled to north Idaho; introducing herself, as well as reconnecting with city and county representatives.

◆ **Administrator Report**

Financial Report – The Board’s finances are very healthy and has just about obtained one years’ worth of surplus in reserve.

Inspections/Permits – Workwise, DBS is swamped. Overnight, the Division received 534 inspections, and has received over 300 permits in a day, several days in a row.

DBS Inspectors – The 2021 budget, due in September 2019 to the Division of Financial Management, will request additional monies to hire two more inspectors for each region.

Compliance Program – The Division is ramping up its compliance program by hiring one or two compliance inspectors statewide.

◆ **Adjournment**

MOTION: Todd Feusier made a motion to adjourn the meeting. Dale Pippitt seconded. All in favor, motion carried.

The meeting adjourned at 12:00 p.m. (MDT)

BOB SCOTT, CHAIRMAN
IDAHO ELECTRICAL BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE
09/23/2019rb

DATE