

## SOUTH DAKOTA ELECTRICAL COMMISSION

Minutes of the Electrical Commission meeting held on October 21, 2010 via conference call.

The meeting was called to order by President Jesse Smith at 8:00 A.M.

The following members were present: Harlan Nielsen, Steve Nielsen, Jesse Smith, and Robert Cronin. Absent: Larry Simonson and Tim McIntyre. A quorum was present. Cam Becker joined the meeting at 8:23 A.M.

Others present were: JJ Linn – Executive Director.

Motion by H. Nielsen; Seconded by S. Nielsen to approve the agenda. Motion approved.

Motion by Cronin; Seconded by S. Nielsen to approve the minutes of July 15, 2010. Motion approved.

Inspectors report:

- The minutes of the July 14, 2010 Inspectors meeting were reviewed.
- Director Linn informed the Commission on highlights from the July 14, 2010 Inspector meeting.
- Director Linn reviewed the current outstanding permit numbers per region. Director Linn informed the Commission he will begin the hiring process for a full-time Electrical Inspector in the western area of the state. The long-term goal is to utilize one of the Inspectors as a statewide roamer.

Old Business:

- Director Linn reported BIT has started on the new database. BIT met with the office staff and will be meeting with the inspectors soon. It is Staff's opinion BIT is behind schedule and will not be able to meet the December 31, 2010 estimated completion date. It is too early to reasonably determine a completion date.
- Director Linn reported on the National Electrical Reciprocal Alliance meeting held in North Dakota in August. The states agreed to utilize a template reciprocal agreement originated by Minnesota. North Dakota has presented South Dakota with another format which was not agreed upon at the August meeting. Director Linn intends to continue discussions with North Dakota to utilize the agreed upon format. Director Linn will continue to pursue agreements with all states approved at the July meeting beginning with our bordering states. Motion by H. Nielsen; Seconded by Cronin to grant to President Smith and Director Linn permission to sign reciprocal agreements which are materially in the same format as previously approved by the Commission as they are provided to the Commission. Motion Approved.
  - Director Linn stated some states may not be willing to reciprocate with South Dakota. One of the items of concern mentioned at the NERA August meeting was the lack of Apprentice to Journeyman ratio requirement. Director Linn stated he will get feedback from other contractors in the state, continue to monitor which states may refuse to reciprocate with South Dakota for this reason, and contemplate a possible law/rules change.
  - The next NERA meeting will be November 22, 2010 via conference call.

- Director Linn reported on the proposed statute changes which were approved by Department of Labor. Director Linn stated Department of Labor recommended the Commission present only those items which in the Commission's opinion are absolutely necessary for this year.

Note: Cam Becker joined the meeting at 8:23 A.M.

New Business:

- Director Linn reviewed the timeline for the Statute 36-16 and Administrative Rule 20:44 proposed changes.
- Harlan and Steve Nielsen provided feedback to the Commission as to the IAEI convention in Green Bay. H. Nielsen recommended passage of the 2011 NEC. H. Nielsen stated he was not aware of any items which would require a change to the exempted items currently in the rules or any items which may require the addition of an exemption in the rules. One concern H. Nielsen did note was the concern of who would be required to calculate the fault current if a breaker is added to an existing panel – Inspector or Contractor. S. Nielsen stated he had a concern in the same area. S. Nielsen did not see how it could be enforced. H. Nielsen recommended Director Linn continue the discussion with the Inspectors as to exemptions and the calculating of fault current.

The reports were reviewed by the Commission. Motion by S. Nielsen; Seconded by H. Nielsen to approve the reports. Motion approved.

Director Linn reviewed the journal.

Code Committee: H. Nielsen reported on a concern regarding AFCIs. He stated the complainant would be providing a letter to the Commission. Director Linn stated he would conduct a follow-up with the complainant after receipt of the letter.

President report:

- President Smith reiterated the goal to have the six surrounding states entered into a new reciprocal agreement with South Dakota by the next Commission meeting.

Director report:

- New interactive online code class can be utilized by South Dakota licensees to gain CEUs.
- Tim McIntyre recommended discussing the fine for failing to document job start date on permits. Commission will discuss at future meeting.
- The Iowa Board is currently not allowing South Dakotans who gained their Iowa license through reciprocity to utilize South Dakota CEUs to qualify for 2010 renewal (12/31/10). Director Linn was assured by the acting Iowa Executive Director and Board President at the August NERA meeting the CEUs would qualify. Director Linn will continue to have discussions with Iowa on their concerns and will press for an immediate resolution.
- There were no audit findings for the SDEC audit for the year ending 6/30/10.
- Certificates now being sent out to Electrical Contractors on passing the exam.
- Call from Senator Kloucek concerning a complaint he received in regards to GFCE's on farmstead locations in which tractor engine heaters are plugged into. Director Linn contacted the complainant. Director Linn discussed the possibility of a letter which would allow the farmer/rancher to be exempt from the requirement. The Commission recommended a possible change in law/rules instead of a letter. Director Linn stated he would do follow-up with the Inspectors and bring the item back up for discussion in January.

Upcoming Commission meeting dates:  
January 20, 2011 – Chamberlain – 8:00 A.M.

Motion by H. Nielsen; Seconded by Becker to adjourn the meeting. Motion approved.

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Cam Becker, Commission Secretary