

Meeting Minutes: Board of Electricity

Date: April 14, 2026

Time: 9:00 a.m.

Location: DLI, 443 Lafayette Road No., St. Paul, MN 55155 | WebEx | Phone

Members present

1. Keith Colvard – WebEx
2. Alfreda Daniels Juasemai
3. Sarah Gudmunson (Vice Chair)
4. Steve Haiby
5. Jeff Heimerl
6. Dean Hunter (CO's Designee)
7. Oneka Jenkins
8. Jeff Peper
9. Allan Stadheim
10. Trevor Turek (Chair)
11. Desiree Weigel (Secretary)

Members absent

- Travis Thul

DLI staff & visitors

- Jeff Lebowsky (Board Counsel)
- Sean Callanan (DLI)
- Lyndy Logan (DLI)
- Todd Green (DLI)
- Scott Higgins (DLI)
- Mark Hunter (DLI)

DLI staff & visitors continued...

- Alexis Johnson (DLI) – WebEx
- Josiah Moore (DLI) – WebEx
- Sean O'Neil (DLI)
- Clara Albert (Electrical Association)
- Cynthia Bennet (Electrical Association)
- Michelle Dreier (Electrical Association)
- Hannah Ellis (Bright Saver) – WebEx
- Nick Erickson (Housing First)
- Megan Fink (Electrical Association) – WebEx
- Wendy Fry (Retro Fit Companies) – WebEx
- Katie Grams (Electrical Association) – WebEx
- John Goeke (Star Power Electric) – WebEx
- Josh Hall (State of Texas) – WebEx
- Trevor Humphrey (Mears Electric) – WebEx
- Karen Krenske (Lake Town Electric) – WebEx
- Steve Ketschka (WSP)
- Tim Kunkel (Tim Kunkel Electric)
- Patrick McMallen (WSP)
- Patty Okeefe
- Kyle O'Neil (IBEW)
- Wesly Schrock (Bright Saver) – WebEx
- Dominique Taudin (Carrier) – WebEx
- John Williamson – WebEx

1. Call to Order

- A. Roll Call:** Chair Turek called the meeting to order at 9:05 a.m. Vice Chair Gudmunson took the roll call, and a quorum of 10 of 12 voting members was declared. Weigel joined the meeting at 9:10 a.m., resulting in 11 of 12 voting members present. A quorum was maintained throughout the meeting.
- B. Announcements/Introductions – Chair Turek**
 - Everyone present in person and remotely can hear all discussions.
 - All votes will be taken by roll call if any member is attending remotely.
 - All handouts discussed and WebEx instructions are posted on the [Board's website](#).
 - **Re-appointed members:** Trevor Turek, Jeff Peper
 - **New members:** Oneka Jenkins – Power Ltd Technician; Allan Stadheim – Electrical Suppliers in rural areas
- C. WebEx instructions/procedures were explained**

2. Approval of Meeting Agenda

Heimerl made a motion, seconded by Weigel, to approve the agenda as presented. The roll call vote was unanimous, with 11 votes in favor of the motion; the motion carried.

3. Approval of Previous Meeting Minutes

Haiby made a motion, seconded by Peper, to approve the January 15, 2026, regular meeting minutes as presented. The roll call vote was unanimous, with 11 votes in favor of the motion; the motion carried.

4. Regular Business

A. **Expense Approval** – Expense reports will be forwarded to Financial Services for payment.

B. **Enforcement & licensing update – Sean O’Neil**

- Electrical Enforcement Actions can be found on the department’s website at:
<http://www.dli.mn.gov/business/electrical-contractors/electrical-enforcement-actions>.
- [See CCLD’s Newsletter](#) to view contractors who have been penalized for working without proper licensing.
- **Licensing Unit/License & Registrations**
 - Electrical contractors 2,497
 - Registered employers 422
 - Technology systems contractors 835
 - Master electricians 6,511
 - Journeyworker electricians 12,435
 - Registered unlicensed electricians 16,074
 - Power-limited technicians 3,927
 - Registered unlicensed PLT 5,496
 - Sign contractor bond 103
 - Exam pass rates for 2026 by total exams
 - Master – 44.7%
 - Journeyworker – 42%
 - PLT – 52.2%
 - Exam pass rates by test taker
 - Master – 47%
 - Journeyworker – 45% (349 testers)
 - PLT – 58% (74 testers)
- **Enforcement Unit**
 - Active electrical investigations 156
 - Orders issued YTD in 2026 32
 - Suspension orders for child support deficiencies are not published
 - Electrical investigations closed 72
- C. **Inspection update** – Dean Hunter – (contact lyndy.logan@state.mn.us for these handouts)
 - Hunter reviewed recent permit and inspection trends, comparing current numbers to past years.

- **Permits**
 - Historically, the department's annual electrical permit count for the last three years has been between 132,000 and 133,000 permits.
 - As of early April, about **31,700 permits** were received, which is **a couple of thousand fewer** than in the same period last year.
 - By permit type:
 - ✓ **Multifamily permits**: down a few hundred.
 - ✓ **Single-family dwellings**: down a couple of hundred.
 - ✓ **Load management devices**: down about **900**, which accounts for most of the decrease.
 - Overall, permit volumes are **slightly lower across categories** compared to last year.
- **Inspections**
 - To date, around **43,000 inspections** have been completed.
 - The **virtual inspection team** has completed about **10,500** of those.
 - Because the virtual program ramped up only last April, there isn't yet enough data to show meaningful trends.
- **Solar Permits**
 - Solar permit data is broken down by contractor type, homeowner vs. non-homeowner, and system size.
 - Total solar permits received appear to be **roughly 300–400**.
 - There are **33 permits with unknown system sizes**, many from homeowners and a few contractors.
 - Staff will reach out to those contractors to get missing wattage information to improve reporting and annual calculations.

5. Special Business

A. Discussion regarding employment agencies (HF4330) and potential 326B.33 revisions (Rep. Mekeland)

- **Representative Mekeland**
 - Issue arose after an electrical contractor lost a journeyman to PFML on Jan. 2, forcing him to lay off an apprentice due to ratio requirements.
 - Explored options with Mr. Hunter; adjusting ratios temporarily was deemed unsafe and unverifiable.
 - Other trades can "borrow" workers temporarily; electrical cannot, prompting this proposal.
 - Goal: allow contractors to temporarily use a journeyman from another contractor only when an employee is out on PFML.
 - Concern: apprentices lose hours and end up on unemployment; it could extend their path to journeyman by years.
 - Multiple contractors have reported similar issues; not intended as a broad or permanent carve-out.
- **Chair Turek**
 - Asked if Representative Mekeland had additional comments.

- Clarified that the meeting's focus was on questions for Mekeland.
- **Dean Hunter**
 - Provided clarification on statutory language.
 - Emphasized that licensed individuals must be W-2 employees; temp agencies currently cannot legally provide licensed supervision.
 - Stated the proposal would allow borrowing a licensed journey worker solely to cover PFML-related absences.
 - Noted system changes (IMS flagging) would be needed to track leave status.
- **Wendy Fry (Retrofit Electric)**
 - Asked whether the group's broader goal includes increasing opportunities for unlicensed individuals to gain licensure.
 - Chair redirected that broader policy question back to Rep. Mekeland.
- **Jeff Heimerl**
 - Questioned discrepancies between the amendment language presented and what was filed with the state.
 - Expressed concern that the proposal appears motivated by opposition to PFML rather than a genuine operational need.
 - Noted contractors have historically handled long-term absences without statutory changes; questioned the necessity of a new carve-out.
- **Representative Mekeland (response to Heimerl & Lebowski)**
 - Explained that language changed after committee discussions; the current version is the narrowed amendment.
 - Intent is to limit the provision strictly to Minnesota PFML due to high early-year usage spikes.
 - Example: Some utilities saw more than one-third of linemen take PFML on Jan. 2.
 - Argued that PFML differs from other types of leave because uptake is significantly higher and often simultaneous.
 - Stated goal is to prevent apprentices from losing hours and jobs; open to alternative solutions.
- **Jeff Lebowski**
 - Asked why the carve-out applies only to Minnesota PFML and not other leave types (FMLA, medical leave, etc.).
- **Desiree Weigel**
 - Asked how inspectors would verify that a borrowed journeyman is legitimately covering for a contractor with a PFML absence, especially when inspectors are not state employees.
 - Follow-up: Who would have access to that information?
- **Dean Hunter (response)**
 - Suggested future integration into the Department of Labor IMS system but noted no mechanism exists yet.
- **Representative Mekeland (response to Weigel)**
 - Stated that contractors would have to apply and be approved; leave status would appear in DLI's system.
 - Suggested Mr. Rowe may be better able to address verification specifics.

- **Chair Turek (closing)**
 - Asked whether Mekeland sought a recommendation from the board.
 - Mekeland stated he was advised to bring the issue before the board to ensure mutual understanding.
- **Michelle Drier – Open Forum Request – Electrical Association of Minnesota**
 - Represents electrical contractors; 75% have seven or fewer electricians.
 - Small contractors are most affected when a licensed electrician takes PFML leave.
 - When a licensed electrician is out, apprentices may need to be laid off because contractors cannot currently use a borrowed licensed electrician for supervision.
 - Even if a licensed electrician is available from another contractor or staffing agency, existing law still forces apprentices to be laid off.
 - House File 4330 aims to prevent these layoffs and keep contractors and apprentices working.
 - FMLA does not apply to most small contractors (requires 50+ employees within 75 miles).
 - Minnesota has ~2,200 licensed electrical contractors; the proposal is intended to help small employers maintain staffing.
 - The provision still preserves access to PFML for employees.
 - Noted another Capitol proposal allowing very small employers to opt in/out of PFML, which could limit employee access unless individuals opt in separately.
 - The goal is to prevent project delays, keep apprentices earning hours, and maintain contractor capacity.

B. Discussion regarding Plug-In Photovoltaic (PIPV) systems (HF3555) (Hunter)

- **Hunter** provided background on plug-in photovoltaic (PIPV) systems, commonly known as “balcony solar.” He explained the Utah legislation that initially prompted discussions; early bill language raised concerns.
- **DLI’s initial concerns with PIPV as proposed to Representative Kraft:**
 - **Fire Risk:** No testing/certification to confirm if the system meets fire safety standards.
 - **Shock Hazards:** Without testing, there’s no guarantee the system protects against electrical shock hazards.
 - **System Compatibility:** These systems may not work safely with all wall receptacles (assuming that is how the system would interconnect). In most cases, they could interfere with built-in safety features like GFCI (ground fault protection).
 - **Connection to the Grid:** It’s unclear how these systems would safely interconnect and interact with the utility power, especially in apartment buildings or condos.
- **Late fall – UL Solutions released a PIPV white paper:** [Interactions of Plug-In PV with Protection of Existing Power Systems](#)
- **Noted UL’s development of UL 3700, an outline of investigation (not yet a consensus standard) for PIPV products.**
 - Early December – UL released a standard for UL 3700: Plugin PV systems can be UL Certified under the product category Plug-In Photovoltaic - PIPV - Equipment and Systems (ODCZ). Depending on construction and functionality, additional standards may be used to investigate particular components or functions, as part of the overall UL3700 evaluation of the PIPV equipment and systems. [UL 3700 | UL Standards & Engagement | UL Outline](#)

- According to UL 3700, the standard may require proprietary inlets/circuits, which would require installations done by licensed electricians.
- Clarified that the NEC currently lacks direct language on PIPV but that many PV systems already operate bidirectionally.
- **In summary: The department's position is neutral – Referencing the UL listing is sufficient in the bill language. To address concerns brought about at the Senate hearing, DLI proposed language for the 2029 NEC to add a new Article 705 Part III to address PIPV. DLI understands that no listed or certified PIPV systems exist today that we are aware of.**
 - Hunter emphasized the department's neutral stance; the main concern is exemption from utility notification.
- **The information below was provided in a presentation by Hunter: HF3555/SF3873**
 - Section 1 [216B.2429] **PLUG-IN SOLAR PHOTOVOLTAIC DEVICE.** Subdivision 1. **Definitions,**
 - (a) "Energy storage system" has the meaning given in section 216B.2422. subdivision 1.
 - (b) "Photovoltaic device" has the meaning given in section 216C.06. subdivision 16.
 - (c) "Plug-in solar photovoltaic device" means a portable photovoltaic device that:
 - (1) is intended primarily to offset a portion of a customer's electricity consumption:
 - (2) has a maximum power output of 1.200 watts:
 - (3) is capable of being connected with an on-site energy storage system: and
 - (4) is listed or certified to UL 3700 as compliant with the requirements for interactive plug-in photovoltaic equipment and systems by a testing laboratory that is recognized under the federal Occupational Health and Safety⁷ Agency's Nationally Recognized Testing Laboratory program to certify⁷ photovoltaic equipment and systems.
 - **Hunter addressed the Senate hearing on the NEC discussion by Rarick**
 - Concerns over NEC compliance.
 - Definitions, utility interactive systems, and bidirectional equipment
 - [UL 3700 | UL Standards & Engagement | UL Outline](#)
 - **Hunter provided an excerpt from UL 3700 that addressed many of the concerns**
 - **6.1.3 PIPV** receptacle and permanent field wiring connection
 - **6.1.3.1 PIPV** that require field wiring shall comply with the supply connection requirements in UL 1741 and shall be field installed in accordance with the National Electrical Code (NEC), NFPA 70.
 - **6.1.3.2 The PIPV** receptacle shall meet the requirements of 6.4 and the requirements of this section. The PIPV receptacle shall be configured to be permanently field installed to a Dedicated Circuit or Non-dedicated Circuit, as applicable based on system design, by a qualified person in accordance with the National Electrical Code (NEC), NFPA 70. Every component of the circuit shall be suitable for bidirectional power flow, including but not limited to the ground fault circuit interrupter (GFCI) and overcurrent protection. The GFCI protecting the circuit shall be a bidirectional rated GFCI in compliance with 6.2. Overcurrent protection protecting the circuit shall comply with 6.1.7. The PIPV receptacle shall be of the same model and manufacturer as the PIPV plug (i.e., a mated pair).
- **Representative Larry Kraft**
 - Learned about plug-in solar from Germany, where it is widely deployed.

- Reviewed Utah’s bipartisan law and adapted early language for Minnesota.
- Stressed desire for safety and collaborated extensively with DLI to refine bill language.
- Supports using UL 3700 to ensure safe deployment.
- Goal: signal to the market that Minnesota welcomes safe PIPV systems and expand consumer options.
- Addressed utility concerns:
 - Bill now allows utilities to require a simple sign-up form for awareness.
 - Net metering limits are addressed through separate policy language.
 - Emphasized that these systems should not require full utility interconnection agreements.
- **Wesley Schrock (BrightSaver.org)**
 - Nonprofit works on PIPV pilot programs and savings data; supports state-level PIPV policy.
 - Read a technical statement from Bill Brooks, PV engineer and NEC panel member:
 - NEC 2020+ allows PIPV systems via Article 705.12 and power control systems (PCS).
 - PCS technology will limit load and prevent circuit overloading.
 - UL 3700 (published Dec. 2025) addresses all PIPV safety concerns; products can be listed now.
- **Steve Haiby**
 - Opposed the bill’s current utility-notification structure.
 - States utilities must know of any generation sources—regardless of size—for safety.
 - Raised concern that adding a PIPV system could push customers above net-metering size limits.
- **Rep. Kraft (response)**
 - Reiterated that he worked with the MREA, and utilities will be allowed to require sign-up forms.
 - Net-metering compliance is addressed in legislative language.
 - Stated utilities should not have approval authority over small consumer-owned systems.
- **Chair Turek**
 - Supports the idea of PIPV but believes more work is needed on worker safety and back feed prevention.
- **Electrician John Goeke**
 - Compared PIPV to generators but noted key differences:
 - Portable generators aren’t reported to utilities; PIPV technology is tied to UL anti-islanding functions.
 - Grid-tied PV already ceases operation when grid power is lost, ensuring worker safety.
 - Noted consumer demand is high; plug-in microinverter systems are already sold online.
 - Supports establishing standards so the market can mature safely.
- C. **Proposed Department budget bill revisions (Hunter)**
 - **ARTICLE 5 CONSTRUCTION CODES AND LICENSING**
 - **Section 1. Minnesota Statutes 2024, section 326B.33, subdivision 4, is amended to read:**
Subd. 4. **Class B installer.** Notwithstanding the provisions of subdivisions 1, 2, and 14, any individual holding a Class B installer license may lay out and install electrical wiring, apparatus, and equipment on center pivot irrigation booms on the load side of the main

service on farmsteads, and install such other electrical equipment as is approved by the commissioner. As of December 1, 2027, no new Class B installer licenses shall be issued. An individual who holds a Class B installer license as of December 1, 2027, may retain and renew the license and exercise the privileges the license grants.

- **Sec. 2. Minnesota Statutes 2024, section 326B.36, subdivision 3, is amended to read:**
Subd. 3. **Licenses; bond.** All inspectors shall hold licenses as master or journeyworker electricians under this chapter. ~~All inspectors under contract with the department to provide electrical inspection services shall give bond in the amount of \$1,000, conditioned upon the faithful performance of their duties.~~
- **Sec. 4. Minnesota Statutes 2025 Supplement, section 326B.37, subdivision 6, is amended to read:** Subd. 6. **Additions to fees of subdivisions 3 to 5.** (g) The fee for each separate inspection of the bonding for a swimming pool, spa, fountain, an equipotential plane for an agricultural confinement area, or similar installation is ~~\$35~~ **\$55**. Bonding conductors and connections require an inspection before being concealed.
- **Sec. 5. Minnesota Statutes 2024, section 326B.37, subdivision 7, is amended to read:** Subd. **7. Investigation fee: work without electrical inspection request.** (b) An investigation fee, in addition to the full fee required by subdivisions 1 to 6 ~~and 16 to 18~~, shall be paid before an inspection is made. The investigation fee is two times the minimum fee specified in subdivision 2 or the applicable inspection fee required by subdivisions 1 to 6 ~~and 16 to 18~~, whichever is greater, not to exceed \$1,000. The payment of the investigation fee does not exempt any person from compliance with all other provisions of the department rules or statutes, nor from any penalty prescribed by law.

D. Texas reciprocity position

- **Board discussion – Key Factors Against Reciprocity (Texas–Minnesota)**
 - Lower Requirements in Texas: Texas licensing requirements are described as “half of Minnesota’s,” making their license not comparable.
 - Insufficient Continuing Education: Texas continuing-education standards were identified as a major concern and not aligned with Minnesota’s expectations.
 - Lack of Mandatory Inspections: Some areas in Texas do not have statewide or mandatory electrical inspections, reducing assurance of consistent safety and code compliance.
 - Statute Allows, Not Requires, Reciprocity: Minnesota law permits reciprocity agreements but does not oblige the board to approve them; decisions must be based on evidence.
 - Comparative Review Findings: The comparison between states’ requirements did not support equivalency, contrary to claims made by Texas representatives.
- **Heimerl made a motion, seconded by Weigel, to deny reciprocity between the state of Minnesota and Texas. The majority roll call vote ruled with 8 in favor, 1 against (Peper), and one abstention (Hunter); the motion carried.**

E. Landscape licensing position

- **Peper made a motion, seconded by Heimerl, to deny the creation of a lower-tier, industry-specific PLT license focused on the electrical components relevant to landscape and irrigation work. The roll call vote was unanimous, with 11 votes in favor; the motion carried.**
- **Comments from January meeting:** Felipe Illescas, the Minnesota Nursery and Landscape Association, addressed the Board. The Minnesota Nursery & Landscape Association,

representing about 1,200 businesses across landscaping, irrigation, and related sectors, is hearing consistent concerns about workforce barriers tied to the Power Limited Technician (PLT) license. Many irrigation and landscape professionals currently hold the PLT, but new workers are discouraged because most of the required content—roughly 80%—doesn't apply to the work performed in these industries. To address this, the association is proposing the creation of a lower-tier, industry-specific PLT license focused on the electrical components relevant to landscape and irrigation work. This would give new entrants an accessible, practical pathway to become licensed, improve compliance, and strengthen workforce pipelines. Nonprofit worker-center organizations have also expressed support, seeing it as a valuable entry point into the trades with the option to advance to the full PLT or even pursue full electrical licensure over time.

F. RFI 26-04, Tim Kunkel, Tim Kunkel Electric, NEC90.4 (B) 300.4 (D)

RFI Submittal:

- **Circumstances of underlying dispute:** Wiring installed in a residential, unfinished garage. Wiring is installed on the face of the top plate of the garage, closely following the surface. Mr. McMullen, Building Inspector for the City of West St. Paul, finds this to be a violation of 300.4 (D). The state's informal, yet written position has been stated as that wiring being allowed in state jurisdiction. Formal interpretation is necessary for statewide consistency.
- **Explain why you disagree with the interpretation given to you by DLI staff:** I do not disagree with the informal interpretation given by Mr. Dean Hunter regarding garage wiring practices in state jurisdiction. I disagree with Mr. Hunter's position that 90.4 (D) allows a local jurisdiction to supersede state authority when a dispute arises regarding the interpretation of the electrical code. 326B.121 (b) makes it clear that the state building code supersedes the building code of any municipality. Municipality changes to state code via interpretation are unacceptable.
- **Provide and explain your interpretation of the relevant Code section or Rule part's language:** Wiring in residential, unfinished garages installed to face of top plate meets the electrical code. Informal interpretation by DLI in state jurisdiction has shown such. Formal interpretation will allow for a clear, defined interpretation that all contractors can be made aware of, and will solidify the interpretation into our state code.
- **Provide any additional information you would like the Board to consider:** This type of nonsense has gone on for too long. An effort needs to be made on the part of the DLI to rein in these rogue interpretations. 90.4 (B) has got to stop being abused the way it has been in this state. These bogus interpretations come at great detriment to our trade and are driving good electricians and good inspectors out of this field.

Discussion:

- **Tim Kunkel**
 - Requests the state to formalize an interpretation on wiring in unfinished residential garages to ensure uniformity across municipalities.
 - Shows an installation of NM cable run across a top plate in an unfinished garage; says this has always been accepted in state jurisdiction.
 - Feels he cannot predict varying municipal interpretations without repeated job submissions.

- States he will follow whatever standard is set, but needs clarity on what is considered “subject to physical damage.”
- Provides a technical argument using UL 719 crush test to show limited risk of damage from items leaning on the cable.
- Ultimately seeks a formal interpretation, not case-by-case discretion.
- **Chair Turek:** Requests Kunkel to briefly explain the situation for clarity.
- **Hunter (DLI / Department perspective)**
 - Explains that many inspectors look to the state for consistency, but some code provisions require discretionary field judgment.
 - Says 334.15 supports that Kunkel’s installation could be acceptable (following the building surface).
 - Acknowledges he told Kunkel via email that he personally did not see it as exposed to physical damage.
 - However, when speaking with the municipal inspector, stressed that AHJ discretion must be respected.
 - Says the code section cited by the inspector (300.4(D)) doesn’t apply; if truly physical damage, 334.15(B) would require conduit.
 - Notes the inspector likely applied 90.4 discretion, allowing guard strips as an alternative.
 - Emphasizes the department cannot overrule field inspectors on subjective determinations and cannot become an appeals outlet.
- **Pat McMullen (Electrical Inspector, West St. Paul)**
 - Says in 26+ years this is the first time he’s seen NM run on a sill/top plate in a garage.
 - Based on garage size and typical stored items (shovels, ladders), he determined it needs physical protection.
 - Stated that he doesn’t ask the state for every small interpretation, but this case clearly warranted correction.
 - Notes that the West St. Paul building official also does not permit this method in their city.
- **Dennis Schilling (Building Official, West St. Paul)**
 - Supports McMullen’s correction.
 - Considers the cable exposed to physical damage, and also a problem if the homeowner later finishes the garage (insulation, poly, drywall).
 - States that in West St. Paul, this type of surface-mounted routing is not acceptable based on both durability and future finishing concerns.
- **Chair Turek**
 - Notes “subject to physical damage” is inherently subjective and environment-dependent.
 - Emphasizes the importance of supporting inspectors, who are the “eyes and ears on the ground.”
- **Heimerl**
 - Recognizes Kunkel’s desire for uniformity, but stresses that AHJ authority is established in rules.
 - Points out that even experienced experts (Pat and Dean) disagree here, demonstrating the subjectivity involved.
 - Says the board cannot override the AHJ in West St. Paul.

- **Jeff Peper**
 - Stresses the need to empower inspectors to make on-site calls.
 - Notes the installation is unusual and was reasonable for the inspector to flag.
 - Says the current system—local discretion, contractor/inspector dialogue—works and no sweeping change is needed.
- **Turek made a motion, seconded by Weigel, to affirm the field decision made by Pat McMullen, Inspector for the City of West St. Paul, and to confirm that he acted within his authority under NEC 90.4. The majority roll-call vote resulted in 10 votes in favor and one abstention (Daniels); the motion carried.**
 - The submitter did not provide a specific question for interpretation; therefore, the Board determined that the question is as follows:
 - **Question:** Does the Board support the field determination made by Inspector Pat McMullen regarding the application of NEC 90.4 in this circumstance, and does the Board find that his use of NEC 90.4 was within the authority granted to the AHJ?
 - **Answer:** The Board supports the field determination made by Inspector Pat McMullen. His decision regarding the wiring installed on the face of the top plate in an unfinished residential garage was within the authority granted to the Authority Having Jurisdiction under NEC 90.4. The Board finds that his application of NEC 90.4 in this situation was appropriate, and the interpretation he made in the field is upheld.

6. Committee Reports

Construction Codes Advisory Council – the CCAC last met on Nov. 14, 2025. **Desiree Weigel** – representative | **Trevor Turek** – alternate. Contact lyndy.logan@state.mn.us to see the presentation and/or handouts.

7. Complaints and Correspondence

Base Power – Supporting the Department's adoption of the 2026 NEC, respectfully requesting that the Department consider amendments in the spirit of narrowly scoped, safety-preserving technical corrections that align the adopted code with the performance characteristics of listed residential energy storage equipment.

8. Open Forum

A. Tim Kunkel, regarding NEC 230.85

- **Tim Kunkel**
 - Requests clarification on whether exceptions to NEC 230.85 exist and how contractors can petition for them.
 - Shows an example of a competitor advertising that they obtained an exception through the chief electrical inspector, which created an uneven playing field.
 - Notes some installations make adding an emergency disconnect physically or financially unfeasible unless utilities are moved.

- Wants clear guidance and awareness that case-by-case exceptions are possible so contractors aren't blindsided.
- States in other cases, lack of guidance has resulted in contractors doing panel changes without permits because insurance companies demanded them.
- **Chair Turek**
 - Invites discussion and later asks whether contractors should consult the local AHJ before bidding a job.
 - Supports that practice to ensure clarity and consistency.
- **Dean Hunter (Department of Labor & Industry)**
 - Explains that 230.85 is being removed in the 2026 NEC, replaced by service-disconnect requirements that still apply during service equipment replacement.
 - Summarizes an Oakdale case where the AHJ consulted DLI due to extreme installation constraints (tight space, gas meter, dual meter sockets, continuous asphalt).
 - States DLI sometimes discusses options with local inspectors, but decisions are case-by-case and ultimately made by the AHJ, not DLI.
 - Lists criteria considered in difficult installations:
 - Would adding an emergency disconnect create new code violations?
 - Can working clearances and utility separations be maintained?
 - Are there construction barriers (brick, recessing, tight property lines)?
 - Would forcing installation unfairly impact neighbors in a twin-home or shared structure?
 - Will the change make the installation safer overall (e.g., FPE panel replacements)?
 - Emphasizes DLI cannot issue a blanket policy; exceptions must not become "permissions people go looking for."
 - Reaffirms that contractors should contact the local AHJ, not rely on DLI as the authority.
 - States that citing "the chief electrical inspector approved it" in advertising was incorrect and inappropriate.
- **Jeff Heimerl**
 - Notes municipal inspectors **do** grant exceptions and track them internally.
 - Asks whether the state maintains a similar record; supports proper documentation.
- **Hunter (response)**
 - States that jurisdictions should record exceptions via permitting systems or documentation to ensure continuity across inspectors.
 - Notes the state follows record-retention laws and assumes municipalities do as well.
- **Jeff Lebowski**
 - Confirms municipalities also have **record-retention requirements**.
- **Tim Kunkel (follow-up)**
 - Asks whether the board can acknowledge that case-by-case emergency-disconnect exceptions exist so contractors can plan appropriately.
 - Explains that many contractors and inspectors were unaware these discussions were even possible.
 - Says the lack of awareness has made some jobs financially impossible for homeowners.

- **Hunter (final response)**
 - Reiterates DLI always answers AHJ inquiries, but local jurisdictions must stand on their own authority.
 - Warns that publicizing a generalized “exception path” could encourage constant requests, undermining AHJ discretion.
- B. **Tim Kunkel, regarding a clear hierarchy of interpretative authority**
 - **Tim Kunkel**
 - Requests a clearer process for resolving interpretation disputes in municipalities.
 - States that the board is the only final interpretive authority under statute, leaving him no option but to appeal directly to the board.
 - Expresses concern about inconsistent municipal interpretations leading to unnecessary corrections for contractors.
 - Suggests the state designate someone to provide consistent interpretive guidance for municipalities.
 - Notes his belief that municipalities are being allowed broad discretion even when their interpretation may be incorrect.
 - **Chair Turek**
 - Asked for board discussion; none is offered.
- C. **Michelle Drier, Electrical Association, regarding the way that the Department of Labor and Industry handles data privacy for personal licenses.**
 - **Michelle Drier**
 - Raises concern that public access to licensing data (names, addresses, phone numbers) is causing harassment and even property damage to tradespeople.
 - Notes that this data is easily accessible via a single link on the licensing page.
 - States that workers are receiving unsolicited mail, calls, and in-person visits.
 - Asks why personal addresses and phone numbers are included in a public-facing spreadsheet and questions whether this practice should continue.
 - **Hunter**
 - Says he has not previously heard complaints about this issue.
 - Notes that some spam has occurred but defers to licensing division leadership for details.
 - **Sean O’Neil (Licensing)**
 - States that personal license data is required to be public under the Minnesota Data Practices Act.
 - Confirms the department warns applicants on page 1 of all license forms that the data is public.
 - After complaints in early 2025, the department removed email addresses from public files to reduce spam.
 - Notes individuals may use their employer’s address instead of a home address.
 - Emphasizes that accurate contact information is needed so license issues don’t escalate to suspension.
 - Says the department has no legal choice but to make the data public.
 - **Heimerl**
 - Confirms members are also contacted by employers due to the public data.

- Notes that many professions in Minnesota face the same issue due to Data Practices Act requirements.
- States that changing this would require a legislative change, not an administrative one.

9. Board Discussion

- Heimerl thanked Alfreda Daniels for her years of dedication to the Board of Electricity.
- Chair Turek also thanked Cole Funseth and Thomas Fletcher for their service to the board.
- Lebowski said that chapters 3800 and 3801 successfully passed legal review by the Office of Administrative Hearings and have now been published and are effective. Work on NEC adoption is underway, with a hearing notice expected to be published around May 4. The rulemaking process is roughly 25% complete, but the final timeline depends on the number of public comments and hearing requests. They hope to meet a July 1 effective date, though if a hearing is required, the final adoption will occur much later.

10. Announcements

Regularly scheduled meetings occur on the second Tuesday of each quarter at 9:00 a.m., in person at DLI, with WebEx/Phone options

- July 14, 2026 (annual meeting – election of officers)
- Oct. 13, 2026

11. Adjournment

Heimerl made a motion, seconded by Haiby, to adjourn the meeting at 11:24 a.m. The roll call vote was unanimous, with 11 votes in favor of the motion; the motion carried.

Respectfully submitted,

Desiree Weigel

Desiree Weigel, Secretary

Green meeting practices

The State of Minnesota is committed to minimizing environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.