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September 30, 2020

Joint Legislative Administrative Procedure Oversight Committee
North Carolina General Assembly
16 West Jones Street
Raleigh, NC 27601
Att'n: virginia.barlow@ncleg.gov

Joint Legislative Commission on Governmental Operations
North Carolina General Assembly
16 West Jones Street
Raleigh, NC 27601
Att'n: govops@ncleg.net

Office of State Budget and Management
MSC 20320
Raleigh, NC 27699-0320
Att'n: susie.e Sealuka@osbm.nc.gov

RE: Covid-19 Regulatory Flexibility Report
Senate Bill 704—Session Law 2020-3
State Board of Examiners of Electrical Contractors

Dear Committee Members:

Pursuant to Section 4.38(c) of Senate Bill 704 of the 2019 General Assembly, we provide this Regulatory Flexibility Report on behalf of the State Board of Examiners of Electrical Contractors. We are counsel to the Board.

The Board of Examiners of Electrical Contractors is responsible for the issuance of licenses to engage in business as an electrical contractor in the State of North Carolina. It also functions to investigate complaints against persons with license as well as persons without license. In addition, the Board approves continuing education courses and tracks compliance with requirements relative to renewal of licenses.

Soon after the pandemic arrived in North Carolina, in March 2020, the Board began to assess the impact of Covid-19 and the steps which might be necessary to meet the needs of the public for competent electrical contractors and the need for flexibility with respect to conduct of the Board examinations and compliance with the continuing education requirements.

Licensed electrical contractors are ordinarily required to obtain continuing education as a condition of license renewal each year. Licenses are renewed on a rolling cycle such that roughly 1/12 of the licenses expire each month during the year. With the shutdown of the State, it became impractical and extremely difficult for continuing education providers to hold classroom education. The Board examined the question how to provide equity to all electrical contractors regardless of the month in which their license was slated for renewal. In order to provide flexibility and support to the licensees, the Board has given credit to every licensee of continuing education ample to meet one-year continuing education requirement. The Board recognized this would be painful to continuing education providers but assured equal treatment of all licensees whose license would come up for renewal in the twelve month cycle. Thus, each person seeking to renew a license after the Governor's emergency orders related to Covid-19 took effect will be able to renew despite the absence of available continuing education.

With respect to examination applicants, the Board has, for many years, provided remote examinations at multiple exam testing centers across North Carolina and other parts of the country. The Board was in touch with the operators of the various testing centers to obtain reasonable assurance that each site was taking steps to provide additional separation of exam takers, Plexiglas shields and other precautions for the protection of staff working at test sites as well as applicants for examination. Many other occupations and professions are using these same testing centers for examination. So far, we are unaware of any problem with Covid-19 in our testing processes.

It is noteworthy for licensees of the Board that the construction industry has been able to keep working during this pandemic without the disastrous economic consequences which have befallen the travel industry, retail establishments and food service, among others.

We appreciate the opportunity to provide this information and also appreciate the trust reposed in the Board by the General Assembly as well as the industry and the general public.

Sincerely yours,

YOUNG MOORE AND HENDERSON, P.A.

By:


John N. Fountain

cc: Tim Norman

JNF/kse

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