

## *A Message from the Immediate Past Chairman*

### **BOARD HISTORY CONTINUED Chapter 2**

In our last newsletter, we explored “The First Thirty Years” of our licensing law, a period better known as the “Nathaniel Ellis Cannady, Sr. Era”. In this article, we will explore our Board history from 1967, the year of Mr. Cannady’s death, to the period ending April 15, 1978.

In the Fall of 1948, Mr. Richard B. “Dick” Boyd, Jr. was employed by the N. C. Department of Insurance in the position of Assistant State Electrical Inspector and Engineer; Mr. Cannady’s assistant. Upon Mr. Cannady’s death, Insurance Commissioner, Edwin Lanier promoted Mr. Boyd to succeed Mr. Cannady as the Chief State Electrical Inspector and Engineer, and appointed him to succeed Mr. Cannady as the Commissioner’s representative on our licensing board.

It should be noted here that under the provisions of the Electrical Contracting Licensing Act as enacted in 1937, the Board’s chairman was not elected by the board members as was stated in our last newsletter article, but the statutes stipulated that the Insurance Commissioner’s designated member of the board automatically served as the Board’s chairman. As stated in our first article, Mr. Cannady continuously served as the Commissioner’s appointee to the Board from enactment of the Electrical Contracting Licensing Act in 1937 until his death in 1967. Accordingly, he served as the Board’s chairman throughout this first 30 year period.

Upon Mr. Boyd’s appointment by Commissioner Lanier, he automatically became the Board’s chairman by law. At this time, the beginning of a new era in the Board’s history was on the horizon. This new beginning was also the beginning of the period in the Board’s history known as the Era of the Rewrite and Reenactment of the Electrical Contracting Licensing Act, but better known as the Richard B. “Dick” Boyd, Jr. Era.

Shortly before Mr. Cannady’s death, he mentioned to this writer some concerns he had regarding the out-datedness of the existing Licensing Act and the need, as he saw it, for a complete re-write and re-enactment of the electrical contracting laws of our state, especially in the areas of license classifications, the Board’s limited authority for the administration of the licensing laws; lack of enabling authority to employ a full time administrator to manage the every day operations of the Board; and the need to eliminate a troublesome provision in the licensing act contained in a last minute amendment by the N.C. General Assembly in 1961. This 1961 troublesome amendment contained provisions whereby any person whose parent was a licensed electrical contractor and who had attained the

age of 40 years by June 22, 1961, and who had served continuously as a mechanic for a licensee of the Board was entitled to an electrical contracting license issued by the Board without having to take and pass the normally required qualifying examination.

There were some other items of house-cleaning Mr. Cannady felt needed to be taken care of in the licensing act. To Mr. Cannady's disappointment, he was not successful in accomplishing this rewrite during his lifetime.

Upon Mr. Boyd succeeding Mr. Cannady, he soon saw the same need for a rewrite of the licensing act and he too discussed his concerns with this writer.

Mr. Boyd not only inherited the chairmanship of the Board, but also the responsibilities for overseeing the daily operations of the Board. He soon realized it was going to be virtually impossible for him to fulfill his duties as the state's Chief Electrical Inspector and Engineer and still be able to spend enough time to do justice in overseeing the Board's daily operations. This realization by Mr. Boyd put a further emphasis on the urgency for this rewrite and reenactment of the licensing act and prompted him to spring into action to develop an appropriate proposed rewrite of Chapter 87, Article 4 of the N. C. General Statutes.

To accomplish the desired results, Mr. Boyd, together with his fellow board members, Howard Pancoast, Oscar Greene, John McClelland, and Wayland Seagraves; the able counsel of attorney John R. Jordan and his firm of Jordan, Morris and Hoke; and leaders from other important facets of the electrical industry and other public interests set out to develop the Board's proposed rewrite of the Electrical Contracting Licensing Act.

Under Mr. Boyd's tireless and committed leadership, a proposal was finalized and ready for the pursuit of appropriate legislative action to cause this rewrite to be accepted, enacted and ratified. One of the great assets in getting favorable legislative action rested with Mr. Jordan. Mr. Jordan, having served as a senator in the State Legislature, had over the years built a respect within his legislative colleagues and friends which no doubt contributed greatly to the legislature's favorable action in accomplishing the desired result.

On June 2, 1969, the Board's efforts, under Mr. Boyd's leadership and the able counsel of Mr. Jordan and his firm, culminated in the legislature's adoption and ratification of a New Act entitled "An Act to Rewrite and Reenact Chapter 87 Article 4 of the N. C. General Statutes." All provisions of the new act were to become effective upon ratification except for the provisions applicable to the new license classifications which were to become effective July 1, 1970.

Some of the major provisions in the newly enacted act were:

- The Insurance Commissioner's designee on the board no longer automatically served as the Board's chairman, but the chairman, along with the vice-chairman and secretary-treasurer were to be elected by the board members themselves at the Board's Regular First Quarter Board Meeting to serve for a term of one year. There was no limit to the number of one-year terms board officers could be elected to serve, nor was there any limit as to the number of consecutive terms board members could be appointed or designated to serve.
- Empowered the Board with the authority and responsibility for the development and implementation of the necessary rules and regulations for the implementation of the new Act including provisions for grandfathering existing Class I and Class II licensees into one of the three new license classifications.
- Immediate authority for the Board to employ a full-time administrator to oversee the Board's operations and to employ whatever assistants the Board deemed necessary. Having been authorized to do so, Mr. Boyd contacted this writer for recommendations as to possible candidates he thought might be qualified for the Board's new administrator. After considerable discussion of possible candidates, this writer indicated to Mr. Boyd that he might be interested in a new career change. Subsequently, the Board authorized Vice-Chairman Howard Pancoast to negotiate an offer of this new position to this writer. After negotiating with Mr. Pancoast, this writer found the terms and conditions of employment offered by Mr. Pancoast in behalf of the Board to be acceptable and upon Mr. Pancoast's report on his negotiation and recommendation, the Board voted unanimously to employ this writer effective February 1, 1970. Prior to February 1, 1970, this writer had assisted the Board with the proposed rewrite of the Licensing Act and subsequent to the Legislature's ratification of the new Licensing Act, had assisted the Board with the preliminary development of the Board's rules and regulations for the implementation of the new law. Upon his employment, this writer's first and foremost assignment by the Board, along with staff development and organization, was to develop, organize and put together a comprehensive set of rules and regulations for the Board's review and consideration for the full implementation of the new Licensing Act. Building upon efforts previously made by the Board, and under Mr. Boyd's leadership and ideas put forth by Mr. Pancoast and the other board members, a comprehensive set of rules and regulations for the full implementation of the new Licensing Act was presented to the Board for review and any revision desired by the Board. The process of developing these rules and regulations was a complex one culminating in the Board's adoption, duly filing and distribution of same to all affected

parties for the full implementation of the new Licensing Act effective April 15, 1970.

- The new Licensing Act established three new license classifications replacing the old Class I state-wide and Class II one-county only classifications. These three new classifications were:
  - Limited - Limited to electrical contracting projects not exceeding \$5,000.00 and voltage not in excess of 600 volts.
  - Intermediate - Limited to electrical contracting projects having a value not in excess of \$50,000.00
  - Unlimited – No limitations

The annual license fees for the new classifications were:

- Limited - \$15.00
- Intermediate - \$35.00
- Unlimited – \$70.00

The Board's official Rules and Regulations contained grandfather provisions for holders of Class I and Class II licenses to obtain a license in one of the new license classifications as follows:

- Any holder of a Class I license under the old law was entitled to obtain a license in either the unlimited, intermediate or limited classification by simply filing an application to the Board stating the licensee's choice of one the new classifications and paying the appropriate annual license fee.
- Any holder of a Class II license was entitled to obtain a limited license by simply filing the appropriate application and pay the \$15.00 annual fee; and any holder of a Class II license was entitled to a license in the new intermediate classification by filing the appropriate application, furnishing sufficient evidence that the licensee had satisfactorily completed electrical contracting projects having a value in excess of \$5,000.00 or furnish a bonding ability statement verifying the licensee's bonding ability for electrical contracting projects having a value in excess of \$5,000.00, and by paying the \$35.00 license fee; and any holder of a Class II license was entitled to a license in the unlimited classification by filing the appropriate application and furnishing sufficient evidence that the licensee had satisfactorily completed electrical contracting projects having a value in excess of \$50,000.00 or by furnishing a bonding ability statement verifying the licensee's bonding ability for

electrical contracting projects in excess of \$50,000.00 and by paying the \$70.00 annual license fee.

The Board's rules also provided that once a licensee initially selected a license classification lower than he was initially entitled to the licensee could not later upgrade to a license in a higher classification without meeting all requirements of a new applicant including taking and passing the normally required qualifying examination. There were provisions for the Board to waive the upgrading requirement in a justifiable case of extenuating circumstances allowing a second chance for a choice of a new license classification under the new law and the Board's Rules.

Except for a few unusual cases, the Board and the Board's licensees were pleased with this initial transition of license under the new law and the Board's Rules. Having successfully worked through the development and adoption of the Board's Rules and Regulations for the implementation of the new Licensing Act and seeing the positive early results of the change over from the old law to the new, Mr. Boyd, at a special Board meeting held June 23, 1970 requested the Board to relieve him of the chairmanship and elect a new chairman of the Board. The board members commended Mr. Boyd for the outstanding leadership he had provided in guiding the Board through this most important and complicated period in the Board's history. At this time, the board members elected Mr. Howard Pancoast Chairman and Mr. John McClelland, Vice-Chairman. Earlier, this writer was appointed by the Board to succeed Mrs. Elizabeth Anderson as Secretary-Treasurer of the Board. Mrs. Anderson retired after serving continuously as the Board's second Secretary-Treasurer from 1938 until 1970.

At the Board's Regular Second Quarter Board meeting in 1970, Mr. Pancoast, together with other board members, again complimented Mr. Boyd through a memorandum from him to the Board, a memorandum adopted by the Board and filed with the minutes of this meeting. This memorandum stated "Mr. Boyd's capable and dedicated leadership carried the Board through a most difficult transition period in the Board's history." Mr. Pancoast further stated in his memorandum, "It is my considered judgment that no other individual in this State would have enjoyed such universal acceptance as Board Chairman at this particular time and that no one else could have accomplished what he did." This same feeling about Mr. Boyd was shared throughout the electrical industry. Thus it is right and proper that this period in the Board history be best known as "The Richard B. "Dick" Boyd, Jr. Era."

Upon Mr. Pancoast becoming the Board's Chairman, a new era in the history of the Board began. One of Mr. Pancoast's first objectives for the Board was the establishment of Board committees to deal with and make recommendations for the Board's consideration in the Board's decision-making process. He also presented proposed guidelines which he felt necessary toward restructuring the Board's operations for maximum effectiveness. Mr. Pancoast's recommended guidelines included passing the responsibilities for the Board's day-to-day operations from the Board's Chairman and the other board members to the Board's Executive Director. The Board members unanimously adopted Mr. Pancoast's recommended guidelines for the Board's operations, thus the era of the Executive Director's management of the Board's operations was finalized by the Board and remains intact to date.

Mr. Pancoast served on the Board as the NCAEC's fourth designee since the enactment of our Licensing Law in 1937 and he served continuously as NCAEC's designee to the Board for 18 years; the last 8 years as Chairman until his retirement in 1978.

Some of the most important events occurring in the Board's history during Mr. Pancoast's Chairmanship include:

- Formulating and establishing a licensing reciprocity agreement between our Board and the South Carolina Contractors Licensing Board. (1971) This was the first such agreement entered into by our Board.
- Development and Board adoption of a "Policy For the Retention and Disposition of the Board's Records" with N. C. State Department of Archives and History. (1971)
- Developed and implemented a Board "Financial and Budgeting Policy". (1971)
- Development and adoption of a Board policy for "Conducting Specially Arranged Examinations and for conducting Examinations in geographical areas in the State in addition to Raleigh, NC. (1971)
- Developed and adopted the Board's first official Personnel Regulations. (1971)
- Developed and adopted a policy defining "Point of Delivery" as applicable to the electrical contracting and general contracting laws and rules and policies of the electrical utilities serving installations in North Carolina. (1972)

- Obtained legislation to enable the Board to establish special restricted license classifications. (1973)
- Statutory Mandate from State Legislature for the Board to establish and implement a license classification applicable to single family detached dwellings. Pursuant to this mandate, the Board established and developed regulations to implement the single family detached residential dwelling license classification – SP-SFD. There was no project value limitation for this license classification. (1973)
- Formulated and adopted a joint resolution between our Board and the N.C. State Board of Refrigeration Examiners whereby the Refrigeration Board will include on their examinations the necessary electrical examination questions developed and provided by our Board to assure that the refrigeration examinees are required to demonstrate sufficient knowledge before they are licensed by that Board to do certain limited electrical work in connection with the installation and repair of refrigeration equipment. (1973)
- Designed and developed “wall mounted diploma type” permanent certificates to be provided to all persons who had taken and passed a qualifying examination for an electrical contracting license and for all persons successfully taking and passing the required qualifying examination in the Limited, Intermediate or Unlimited classifications. (1973)
- Implemented legislative authority to increase the project value limitation of the Limited classification from \$5,000.00 to \$10,000.00. (1975)
- Developed a new examination program with the assistance of the Educational Testing Service (ETS) based in Princeton, New Jersey, in setting up this new format. The Board also solicited the assistance of a special Ad Hoc Committee consisting of leading licensees, electrical inspectors, engineers, and other leaders in the electrical industry to work with the Board and ETS in the development of examination standards including the specific subject matters to be covered in each examination, the number of questions in each subject matter that should be included in each examination and the development of a question bank of at least 800 questions from which each examination is to be assembled. All questions to be of the multiple-choice type with all Limited, Intermediate, and Unlimited examinations consisting of two parts with 50 questions in each part.

Upon the completion of this task of developing the 800 question bank and examination specifications, the Board was ready to proceed with this new examination program. Under the Board's contractual agreement with ETS, the Board's examinations were assembled by ETS from the Board's question bank in accordance with the Board's specifications. ETS would ship the assembled examinations to the Board's office. The assembled examinations were first reviewed by the staff, then by the Board's Examination Committee. After review and Board's approval, the examinations were administered by the Board's staff. The answer sheets were then shipped to ETS for scanning, scoring and question by question, subject matter by subject matter detailed analysis by ETS. The examination grades together with an individual examinee analysis report were then forwarded to the Board's office for review and approved after which each examinee was advised of his or her examination results.

A process for failed examinees, wishing to do so, was implemented to provide for examination reviews. This new examination program constituted a revolutionary change in the Board's examination process going from the old essay-code book look-up, part open and part closed book written and hand graded examination to a computer developed-computer graded open book examination with a complex analysis of examination results.

In 1977, the Board developed a system within the Board's office whereby staff could duplicate the service being provided by ETS in the process of assembling examinations. From the Board's question bank and through an arrangement with N.C. State University's Computer Department, the Board could receive the same type of scanning and scoring, and analysis as ETS was providing through this new in office examination process and the arrangement with N.C. State University, the Board no longer needed ETS's services and in July 1977, the Board terminated the agreement with ETS and made final settlement for their services. The first examinations administered without the aid of ETS were administered in the September 1977 examination period.

- Formulation and Board adoption of an Interpretive Ruling applicable to General Statute 87-43.1, Exception No. 3 titled “Employee Exception”.
- Development, adoption and implementation of standards, rules, regulations and procedures for the establishment of special restricted licenses in the following classifications:
  - Special Restricted Elevator license (SP-EL)
  - Special Restricted Plumbing and Heating licenses (SP-PH Class I: and SP-PH Class II)
  - Special Restricted Well Pump license (SP-WP)
  - Special Restricted Electric Sign license (SP-ES) 1976
- Adopted a Declaratory Ruling declaring that the scope of work authorized under the SP-PH Class II license falls within the statutory jurisdiction of the N. C. Plumbing and Heating Licensing Board; and therefore ruled that this classification of license was no longer needed and declared it null & void. (1977)

During Mr. Pancoast’s long term on the Board, he was privileged to have served with nine other distinguished board members in the order of the appointments: Messrs N.E. Cannady, Sr.; Professor M. R. Pearsal; Charlie Gudger; Hector Ray; Professor Wayland Seagraves; John R. McClelland; Oscar Greene, Jr.; Tommy Watson; and Richard B. “Dick” Boyd, Jr.

Mr. Pancoast’s final term on the Board as the NCAEC’s representative came to a close April 15, 1978, concluding 18 years of continuous Board service, the last 8 years of which he served as Chairman. It was his leadership during the crucial years of his Chairmanship that resulted in this period in the Board’s history to be proclaimed by all who knew him and familiar with his accomplishments as “The Howard R. Pancoast Era”. Although he no longer served on the Board, Mr. Pancoast’s interest in the effective administration of the N.C. Electrical Contracting Licensing Laws never wavered and he will long be remembered as a faithful servant of the public and a giant in the electrical industry.

(To Be Continued)

Respectfully,  
Curtis R. Kennedy