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**STATE BOARD OF ELECTRICIANS  
BUSINESS MEETING MINUTES**

**DATE:** January 23, 2023

**TIME:** 10:00 a.m.

**PLACE:** Via Google Meet Video and Teleconference + 321-465-5183; PIN: 457 489 090#

**MEMBERS**

**PRESENT:** Chet Brown, Chairman  
Steven Petri Sr., Industry Member  
Francis Harrison, Consumer Member  
Walter “David” Irvin, Industry Member  
William “Eric” Smith, Industry Member

**MEMBERS**

**ABSENT:** Greg Kaderabek, Vice Chairman

**STAFF**

**PRESENT:** Lakisha Thornton, Administrative Officer III, Mechanical Boards  
Sloane Fried Kinstler, Assistant Attorney General  
Johnston Brown, Administrative Officer I

**OTHERS**

**PRESENT:** None

**CALL TO ORDER:**

After a roll call to establish a quorum, Chairman Brown called the Business Meeting of the Maryland State Board of Electricians to Order at 10:03 a.m.

**APPROVAL OF MINUTES**

Mr. Steinman moved to approve the November 28, 2023, meeting minutes without amendment. Mr. Petri seconded the motion. Mr. Harrison abstained from the vote. The remaining members of the Board present voted in favor of the motion.

**COMPLAINT COMMITTEE REPORT**

Three complaints were reviewed:

ELEC 24-0011- an individual was charged criminally for accepting money for providing electrical services without the required license. The individual was also drinking alcohol while performing the services.

ELEC 24-0018 – a complaint resulted in a consent order, in which the respondent offered electrician services through an electrical business but is not a licensed electrician. The individual also offered to provide electrical services through an advertisement that the individual was a licensed electrician. The Consent Order reflects a sanction of a civil monetary penalty of \$750.00.

ELEC 23-0010 – new complaint against a Virginia-based company that sent an employee to provide electrical services but was not qualified to perform the work and for which the required permits were not obtained. The Board will attempt to resolve the matter with the company or pursue charges against the master electrician of record for the company.

Mr. Steinman moved to accept the Compliant Committee report. The motion was seconded by Mr. Irwin and passed unanimously.

**APPLICATION REVIEW COMMITTEE REPORT**

Chairman Brown reported that the Board received four (4) applications, one (1) of which was for a journeyman license and three (3) to sit for the master license examination. Of the three (3) master license applications, two (2) were approved and one (1) is pending. The journeyman application was denied.

Mr. Harrison moved to accept the report. Mr. Steinman seconded the motion. The Board voted unanimously in favor of the motion.

**CONTINUING EDUCATION PROVIDER REPORT**

Mr. Steinman reported he received several applications for potential CEU providers that are pending approval. He also mentioned that he is working on a new application form to make the process more efficient, which will be discussed further at the next board meeting when Mr. Bull is present.

Mr. Petri moved to accept the report, which Mr. Irvin seconded. The motion passed unanimously.

**EXAM CHALLENGES REPORT**

No exam challenges were submitted; no report was offered.

**REVIEW OF EXAMINATION STATISTICS AND LICENSE TOTALS**

PSI exams submitted the following statistical summaries for the month of October 2023:

<b>Exam Type</b>	<b>Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass Rate %</b>
Master Electrician	47	13	34	28%
Journeyman	12	2	10	17%

Electrician				
Total	59	15	44	25%

The year-to-date totals of 2023, **Masters:** there were 591 candidates tested, with 154 passing and 437 failing, for a pass rate of 26%.

Overall year to date, the cumulative since the inception of the test, for **Masters:** 7,528 with 2,173 passing and 5,355 failing with a pass rate of 29%.

**CORRESPONDENCE**

None to be considered.

**OLD BUSINESS**

Discussion on Voice/Data/Video Services

Tabled until the next Board meeting when Mr. Bull can be present.

Onsite Wastewater Management

Mr. Harrison asked about the status of forwarding his presentation to local jurisdictions. He also advised that potential members of the Onsite Wastewater Management Commission have been named and are awaiting Senate confirmation.

Senate Bill 298 – Counsel explained that the bill would authorize the Board to impose a civil monetary penalty as an administrative sanction against an applicant or licensee found to have committed a violation of applicable electrical statutory or regulatory provisions. This language has historically been in place for all other statewide occupational and professional licensing boards and commissions but was inadvertently left out of the 2021 bill that established statewide licensing.

**NEW BUSINESS**

COMAR 09.09.02.01 - The Board reviewed a language to amend COMAR 09.09.02.01 to correct the references to “insured” or “not insured” to work to “authorized” or “not authorized” in continuing professional education requirements for an uninsured electrician. Counsel requested that the Board consider proposed action to correct the regulatory language.

Mr. Petri moved to recommend proposed action to amend and correct COMAR 09.09.02.01, pending approval by the Secretary. The motion was seconded by Mr. Irvin and passed unanimously.

**EXECUTIVE DIRECTOR’S REPORT**

None.

**COUNSEL’S REPORT**

Counsel made announcement of upcoming closed session and explained the process for reviewing a recommended administrative decision for the Office of Administrative Hearings and for review of a license application in which the individual has disclosed a prior criminal history.

## **CHAIR'S REPORT**

None.

## **CLOSED SESSION**

Counsel Kinstler explained that the Board would convene in a closed session to consider a Recommended Decision of the Office of Administrative Hearings and license applications in accordance § 3-305 (b)(2) and (7) of the Gen. Prov. Art., Md. Ann. Code, to protect the privacy and reputation of a license applicant and to obtain legal advice provided by Counsel.

Mr. Steinman made a motion to convene in closed session; Mr. Harrison seconded. The Board voted unanimously to convene in a closed session at 10:36 a.m.

## **REVIEW OF PROPOSED DECISION AND ELECTRICIAN LICENSE APPLICATION**

Proposed Decision, Case No.: ELEC 23-0006

Counsel Kinstler presented the Proposed Decision of an Administrative Law Judge (“ALJ”) in Case No.: ELEC 23-0006, after a hearing at the Office of Administrative Hearings (“OAH”), pertaining to the unlicensed person charged with offering and providing of electrical services without a license in violation of Business Occupations and Professions Article § 6-607, Annotated Code of Maryland. The Respondent was previously employed by a licensed master electrician whose name and license number name the Respondent used to obtain a permit for the contract work on the Complainant’s property. The Respondent was not employed by and did not employ a master electrician at any time relevant to the proceeding, nor was there evidence to indicate that the Respondent’s former employer was involved in any way a party to or involved in the contract between the Respondent and the Complainant.

The Respondent advertised on Craigslist that the Respondent was able and available to provide electrical services; and falsely used information pertaining to a former employer to pull permits. The Respondent accepted money from the Complainant but failed to complete the work according to the contract and eventually abandoned the job. The Respondent did not respond to the Complainant’s request to return to the property to address deficient work. The Respondent further failed to complete the contract work or reimburse the Complainant for \$2,900.00 paid in advance.

The ALJ concluded that the evidence established that the Respondent had offered to provide and provided electrical services without the required license issued by the Board, in violation of § 6-607 and had failed to act in good faith toward the Complainant by taking advantage of the Complainant; providing inadequate electrical services; misrepresenting his that he could provide the services under the contract; abandoning the job; and failing to return to the job site to address workmanship issues. The Board requested that a civil penalty in the amount of \$4,000.00 be imposed on the Respondent, with which the ALJ concurred.

The master electrician whose license number was used to pull the permit did not respond to the investigator’s request to respond to or discuss the complaint. The Board requested that staff attempt to get a response from the master electrician whose license number was used to pull a permit in this matter; if the licensee does not respond after further attempts are made, the Board will consider pursuing charges.

Mr. Harrison moved to approve the ALJ's factual findings, legal conclusions, and recommendation and that the Board issue a Proposed Order providing that the Respondent in Case No.: ELEC 23-0006 violated Business Occupations and Professions Article § 6-607, Annotated Code of Maryland; that the Respondent pay a civil monetary penalty of \$4,000; and that the Respondent shall not be deemed eligible for an electrical license until the imposed penalty has been paid in full. Mr. Steinman seconded the motion, which passed unanimously.

### Review of License Application

#### License Application 01:

Counsel Kinstler presented the application for a journeyman license by an exam waiver. In 2016, the applicant was convicted of sex abuse of a family member/ member of the household, a felony. The victim was the applicant's 15-year-old stepdaughter. The applicant was sentenced to incarceration for 25 years with all but 10 years suspended and probation for five (5) years. A probation agent verified the start and anticipated termination, during which time the applicant cannot have contact with any person under the age of 18; must complete sex offender treatment; submit to drug and polygraph testing; comply with obligations as a Tier III sex offender, a lifetime obligation. After probation is completed, the applicant will have a lifetime obligation to register as a sex offender every six (6) months.

The applicant submitted an explanation letter to the Board, in which the applicant explained that their actions stem from alcohol abuse and as a victim of abuse. Mr. Bull verified that the applicant currently meets the requirements for the journeyman license exam waiver. The applicant provided recommendation letters from their current employer, and a pastor from the church the applicant attends.

Mr. Petri moved to grant the applicant's journeyman license application. The motion was seconded by Mr. Steinman and passed unanimously.

#### License Application 02:

Counsel presented the application for a journeyman license through an exam waiver. The applicant was convicted in 2021 of a third-degree sex offense, a felony, and was sentenced to incarceration for five (5) years with all but 18 months suspended, and five (5) years' probation. The applicant is also required to register as a Tier III sex offender. Mr. Bull verified that the applicant has met all the requirements for a journeyman license waiver. The applicant completed an electrical apprenticeship in 2020. The applicant did not provide an explanation letter or any letters of recommendation.

Mr. Steinman moved that the Board request more information from the applicant before deciding on the application. The motion was seconded by Mr. Irvin and was unanimously approved.

#### License Application 03:

Counsel presented an application for a journeyman license through an exam waiver. The applicant was convicted in 2014 of first-degree assault, a felony, classified as a violent crime and the use of a handgun in a crime of violence. The applicant was sentenced to incarceration for 20 years with all but five (5) years suspended on each count to run concurrent with one another and three (3) years' probation. Mr. Bull verified that the applicant meets the requirements for journeyman license exam waiver. The applicant submitted an explanation letter for the offenses

and a work certification from a licensed master electrician. The applicant has worked for the same employer for several years.

Mr. Petri moved to grant the license application. The motion was seconded by Mr. Irvin and passed unanimously.

License Application 04:

Counsel presented an application for a journeyman license exam waiver through an apprenticeship. The applicant was disciplined by the Delaware (DE) Board of Electrical Examiners in 2019 after failing to disclose a 2006 DUI conviction, a misdemeanor, and 2018 convictions for misdemeanor assault and possession of a deadly weapon on a 2012 license application and renewal applications in 2014, 2016, and 2018. By an agreement with the DE Board in 2019, the applicant's license was suspended for 18 months, and the applicant completed additional continuing education in ethics. The applicant is currently licensed in DE.

The applicant completed a DE-approved apprenticeship in 2008. Maryland cannot currently accept DE apprenticeships for a license waiver. In the alternative, the Board has requested that the applicant provide documentation of work experience necessary to qualify for a Maryland license.

Mr. Steinman moved to approve the application, pending the applicant's provision of certified work experience. The motion was seconded by Mr. Petri and passed unanimously.

License Application 05:

Counsel presented a journeyman license application through a work experience waiver. Mr. Bull verified that the applicant has met all the requirements for a license. The applicant was convicted in Virginia in 2009 of aggravated involuntary manslaughter, a felony, for which they were sentenced to incarceration for 20 years with all but seven (7) years, six (6) months suspended and 20 years' probation. The crime occurred when the applicant was 23 years old. The applicant provided an explanation of the crime and produced documentation reflecting employment by the same employer and under the same master electrician since May 2015.

Mr. Petri moved to approve the application. The motion was seconded by Mr. Steinman and passed unanimously.

License Application 06:

Counsel presented an apprentice license through an exam waiver for an applicant who was convicted in 1994 of 2<sup>nd</sup>-degree rape, a felony, and attempted murder, a misdemeanor. The applicant did not provide disposition information for the sentence(s); nor letters explaining the incident(s); or a verification of employment, activities in the community, or the date probation was terminated and whether the applicant was in compliant status.

Mr. Harrison moved to request more information from the applicant. The motion was seconded by Mr. Steinman and passed unanimously.

After Mr. Irvin moved to adjourn the closed session and Mr. Peterson seconded, the Board unanimously voted to reconvene the business meeting at 11:52 p.m.

Mr. Harrison moved to adopt the findings of the closed session, which Mr. Petri seconded. The motion unanimously passed.

**ADJOURNMENT**

A motion was made by Mr. Harrison, seconded by Mr. Steinman, and unanimously carried by a vote of the Board to adjourn the January 23, 2024 business meeting at 11:53 a.m.

**Signature on File**

**2/27/2024**

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**John Bull, Executive Director**  
**Mechanical Boards**

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**Date**

**As voted and approved by the Board on: 2/27/2024**