
**STATE BOARD OF ELECTRICIANS
BUSINESS MEETING MINUTES**

DATE: November 28, 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
Greg Kaderabek, Vice Chairman
Steven Petri Sr., Industry Member
Francis Harrison, Consumer Member
Walter “David” Irvin, Industry Member
William “Eric” Smith, Industry Member

MEMBERS

ABSENT: Donald Steinman, Industry Member
John Peterson, Consumer Member

STAFF

PRESENT: John Bull, Executive Director, Mechanical Boards
Sloane Fried Kinstler, Assistant Attorney General
Matt McKinney, Director of Strategic Initiatives
Johnston Brown, Administrative Specialist III

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. Harrison moved to approve the October 24, 2023, meeting minutes without amendment. Mr. Kaderabek seconded the motion. The Board voted unanimously in favor of the motion.

COMPLAINT COMMITTEE REPORT

It was not necessary for the Committee to meet; no report was given.

APPLICATION REVIEW COMMITTEE REPORT

Chairman Brown reported that the Board received one (1) application for the master license examination, which was approved. No journeyman license applications were received.

Mr. Petri moved to accept the recommendation of the Application Review Committee. Mr. Kaderabek offered a second to the motion. The Board voted unanimously in favor of the motion.

CONTINUING EDUCATION PROVIDER REPORT

None.

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:

Exam Type	Tested	Passed	Failed	Pass Rate %
Master Electrician	45	11	34	24%
Journeyman Electrician	12	3	9	25%
Total	57	14	43	25%

Executive Director Bull reported the year-to-date totals of 2023, **Masters:** there were 484 candidates tested, with 130 passing and 354 failing, for a pass rate of 27%.

Overall year to date, the cumulative since the inception of the test, for **Masters:** 7,421 with 2,149 passing and 5,272 failing with a pass rate of 29%.

CORRESPONDENCE

The Board reviewed correspondence from Mr. Allan Givens seeking clarification on a homeowner providing electrical services in their own home without being a licensed electrician, in connection with his business model through which he intends to offer tutorial or instruction to a homeowner . to conduct such work on their own. Mr. Givens referenced a 2021 senate bill to establish statewide licensing. Counsel Kinstler advised staff to refer to the statutory provisions reflected in the laws of Maryland, rather than a bill from a prior legislative session.

AAG Kinstler stated that the Board should respond that it is not aware of any provision that would allow an unlicensed homeowner to provide electrical services on their own property. Counsel further advised the Board that none of the Mechanical Boards has a statutory license exception for property owners,

except for HVACR, which specifically excepts from the HVACR license requirement, an individual providing HVACR services on home in which they reside. Counsel clarified that this type of exception is not available to an individual who may be doing electrical or plumbing work that involves connection to the power grid or potable water supply, respectively.

Board staff will prepare the Board's response. Counsel cautioned that the Board and its staff should not provide legal advice to the public.

OLD BUSINESS

Mr. Harrison asked whether his presentation on onsite wastewater management had been sent to local jurisdictions. Mr. Bull indicated that the approval from the Office of the Secretary has not yet been given.

NEW BUSINESS

Discussion on Voice/Data/Video services

Chairman Brown discussed the interest of the Board in amending state law to include a new license classification for individuals providing voice, data, video ("VDV") services, previously considered to be "low-voltage" services. He is aware that the previous Board's position on low-voltage but feels that the current Board may have a different position, particularly concerning the provision of VDV services.

Executive Director Bull reminded the Board about prior assurances given by DOL regarding low-voltage, and, specifically, that the State did not intend to enforce low voltage workers in local issued regarding low-voltage services. AAG Kinstler suggested that, if the Board would like to pursue a proposal to establish a new license classification pertaining to providers of VDV services, it should first ask whether the Department could obtain the Secretary's approval to move forward. The Board discussed consulting Commissioner John Dove and gauging the thoughts of industry stakeholders about such licensing. The Board determined to research the industry's views about VDV licensing before engaging with Commissioner Dove.

Mr. Kaderabek suggested that the Board should first define what exactly low-voltage services. Mr. Bull suggested that the Board should consult the industry and explore: (1) whether he electrical industry, including providers of low-voltage or VDV services fall under electrical services; (2) if so, what the definition of VDV services is; and (3) what a license issued to a provider of such services would authorize and require. Mr. Bull suggested that the Chairman form a committee to explore these issues and offer a recommendation to the Board in this regard.

Chairman Brown agreed to establish a committee at the next Board meeting and asked members to consider whether they wished to be on it.

EXECUTIVE DIRECTOR'S REPORT

None.

COUNSEL'S REPORT

Counsel updated the Board about its proposed action to amend COMAR 09.09.01.03 under Fees. Counsel advised that after publication in the Maryland Register on November 12, 2023, the regulation became final on November 27, 2023. The Board can now issue a license to uninsured electricians and

monitor continuing education compliance for uninsured electricians who are insured to work. Counsel further advised that the proposed fee increase had been submitted for the Administrative, Executive, and Legislative Review (“AELR”) Committee’s review and approval of all proposed actions. The AELR Committee will cease such review on December 4, 2023 through February 12, 2024, due to the legislative session.

CHAIR’S REPORT

None.

CLOSED SESSION

Counsel Kinstler explained that the Board would convene in a closed session to consider 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 advice provided by Counsel regarding a license application.

Mr. Smith made a motion to convene in closed session, which Mr. Irvin seconded. The Board voted unanimously to convene in a closed session at 11:46 a.m.

REVIEW OF ELECTRICIAN LICENSE APPLICATION

License Application 01:

Counsel Kinstler presented a journeyman license application submitted through the statutory waiver. The applicant presented work experience with an electrical business between 2018 – 2022. A licensed master electrician certified the applicant’s work experience. The applicant was convicted of a second-degree sex offense, a felony, in 2010 and sentenced to incarceration for 10 years, with all but four (4) years suspended, followed by probation for four (4) years and an obligation to register as a tier III sex offender.

The Board considered the applicant’s letter describing the incident and in which he stated that he loves the electrical trade, which he discovered while incarcerated. The applicant is currently raising a 17-year-old son who is also employed in the electrical business. The applicant has had clean record since the 2010 incident.

Mr. Petri moved to approve the license application. The motion was seconded by Mr. Harrison. The Board voted unanimously to approve the journeyman license application.

License Application 02:

Counsel Kinstler presented a journeyman application previously considered at a prior meeting. The Board had denied the application after the applicant’s failure to provide information that the Board had requested to verify the offense(s) of which the applicant had been convicted, the sentence(s) imposed, and the status.

The applicant subsequently produced a letter from a Maryland Parole and Probation Agent, identifying the applicant’s 2015 conviction, but not the sentence imposed. The letter verified that the applicant is compliant with the terms and conditions of probation.

The Board was concerned that the applicant had not produced any work experience in the electrical trade beyond 2010; nor a letter from a current or recent employer setting forth the applicant's employment duties and performance; or a statement from the applicant about their activities since release from incarceration or in support of a commitment to sobriety.

Mr. Harrison moved to deny the license application for the applicant's failure to demonstrate qualification for a license without examination. The motion was seconded by Mr. Smith, and, by a Board vote, unanimously passed. Counsel will draft a letter for Board staff to send to the applicant who will have a right to appeal the decision.

Mr. Harrison made a motion to adjourn the closed session at 12:04 p.m. and reconvene the Business Meeting. Mr. Irvin seconded the motion. The Board voted unanimously in favor of the motion.

Mr. Smith moved to adopt the findings of the closed session, which Mr. Irvin seconded. The Board voted unanimously to approve its findings from the closed session of November 28, 2023.

ADJOURNMENT

A motion was made by Mr. Petri, seconded by Mr. Smith, and unanimously carried by a vote of the Board to adjourn the November 28, 2023 Business Meeting at 12:06 p.m.

Signature on File

1/23/24

John Bull, Executive Director
Mechanical Boards

Date

As voted and approved by the Board on: 1/23/24