



**STATE BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND
REFRIGERATION CONTRACTORS
BUSINESS MEETING MINUTES**

Date: February 14, 2024

Time: 10:30 a.m.

Place: The Board of HVACR Contractors meeting was held via teleconference (US +1 208-907-5480 PIN: 871 402 772#).

Members Present: **Michael Giangrandi, Chairman**, Master HVACR Contractor
Lawrence Kitching, Vice Chair, Master HVACR Contractor
Amadou Magazi, Master HVACR Contractor
David Politzer, Consumer Member
Michael Weglarz, Master Electrician
Dwight Needham, Master HVACR Contractor

Members Absent: None

Staff Present: **John Bull**, Executive Director, Mechanical Licensing Boards
Sloane Fried Kinstler, Assistant Attorney General
Sean Heeter, Administrative Officer

Staff Absent: None

Guests Present: None

Call to Order

Chairman Giangrandi called the Business Meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration (“HVACR”) Contractors (“Board”) to order at 10:34 a.m.

Approval of Minutes

Members of the Board reviewed the minutes of the Business Meeting held on January 10, 2024.

Upon Mr. Weglarz’s motion and Mr. Magazi’s second, the motion was unanimously carried to approve the January 10, 2024, meeting minutes without amendment or correction.

Complaint Committee Report

There was no Complaint Committee meeting on which to report.

Application Review Committee

No applications were submitted for review and no report offered.

Review of Examination Statistics and License Totals

Mr. Bull reported the following PSI exam statistical summaries for the month January, 2024:

	Candidates Tested	Passed	Failed	Pass %
Total	33	9	24	27%

Cumulative

Total	33	9	24	27%
--------------	----	---	----	-----

Testing to date

Total	12,396	5,370	7,026	43%

There are currently 20,914 active licensees.

Correspondence

There was no correspondence submitted or to be discussed.

Old Business

COMAR 09.15.02.07 Training for HVACR Journeyman

Mr. Bull reminded the Board that the final action taken on January 10, 2024, on the regulation to amend journeyman work experience hours due to a statutory change was submitted for publication and is expected to be published in the February 23, 2024, Maryland Register. Counsel will update Mr. Bull and the Board as necessary.

COMAR 09.15.01.03 Fees

Mr. Bull reminded that Board that is had proposed action to increase fees which was published in the December 15, 2023, Maryland Register, for which the 30-day comment period expired on January24, 2024. Mr. Bull reported that no comments were submitted, and the Board is now authorized to consider final action on the regulation. Mr. Bull stated that the Board has obtained approval from the Secretary’s Office to proceed.

Upon Mr. Weglarz’s motion and Mr. Magazi’s second, the motion was unanimously carried to approve the final action.

Counsel will submit the final action to into the electronic filing system, ELF, for publication. Counsel stated she believed, but is not certain, that the Board can meet the closing deadline for submission of

final action in the next issue of the Maryland Register, March 8, 2024, is tomorrow, February 15, 2024. If not, final action must await the next issue two (2) weeks thereafter. Counsel will update Mr. Bull when published and report to the Board during the March meeting.

New Business

Mr. Bull provided the Board with an update of pending legislative proposals.

SB 54/HB175 Occupational Licensing and Certification - Criminal History - Prohibited Disclosures and Predetermination Review Process

The Bill pertains to the criminal history of applicants and licensees and would limit the disclosure of information a license applicant may be asked to provide and change the period for which a board could deny a license based solely upon a conviction (with exceptions, per the bill) from seven (7) years to three (3) years.

HB 1241 Polyvinyl Chloride and Chlorinated Polyvinyl Water Piping Prohibition

The bill would prohibit the use of PVC or PCVC pipe in water distribution systems due to concerns of possible chemical contamination to a water system based on use of the piping. Mr. Bull reported that the Plumbing Board has opposed the bill as PVC or PCVC piping has not been banned in other jurisdictions and could have implications for code compliance.

HB 503/SB 586 Public Safety - Corrugated Stainless-Steel Tubing for Fuel Gas Piping Systems - Requirements and Prohibitions

The bill would require the use of only corrugated stainless-steel tubing “(CSST)”) that meets the LC 1027 standard and references the manufacturer’s specifications for the tubing. Mr. Bull reported that the Plumbing Board has opposed the bill’s focus on the manufacturing specifications of one manufacturer and not the International Plumbing Code.

HB 642 Apprenticeships in Licensed Occupations Act of 2024

The bill would require that an applicant for a license who has completed apprenticeship program that has been approved by the MD Apprenticeship and Training Council (“MATC”) be granted a journey license upon completion of the program and will develop programs for occupations that are not currently offered. Mr. Bull stated that the bill will not affect the Board because it has an existing statutory requirement for a license exam waiver for individuals who have completed a MATC apprenticeship program.

HB 269 Criminal Procedure - Disclosure of Expunged Records – Alterations

The bill would allow expungement for certain criminal records. If granted, a board is prohibited from asking the applicant to discuss or provide information about the conviction and may not base a license denial on such an offense. Mr. Weglarz asked if the records are then sealed and if the sealed records are available to the public. Counsel stated that if a conviction has been expunged by a court, it no longer would be reflected on an individual’s record and does not constitute a conviction. Counsel stated that the bill would not change the Board’s current application process as her advice has historically been that than expungement does not constitute a conviction. Counsel distinguished between an expungement having been granted and an applicant reporting that he/she has filed a motion for an expungement has been filed or is pending.

Mr. Bull stated that as he becomes aware of any additional information on bills that might be relevant to the Board or licensed HVACR population, he will notify the Board.

He asked if the Board wishes to take a position on any of the proposed legislation as he may be asked by the Secretary's Office for Board's position, particularly on SB 586. Mr. Weglarz stated he opposes SB 586/HB 503 since that bill deals with a manufacturing process, not the scope of work for HVACR contractors or technicians and does not reflect industry standards or processes. Mr. Bull suggested that perhaps the bill sponsors or drafters did not fully comprehend the industry and that the Plumbing Board is asking the bill to be amended to reflect the plumbing code. Mr. Giangrandi stated he agrees with the Plumbing Board's position, and that his company has reviewed the bill and opposes it for the stated reasons. Mr. Weglarz also discussed his opposition to HB 1241.

Mr. Bull asked if the Board wants to formally take a position on any proposed legislation.

Upon Mr. Weglarz's motion and Mr. Needham's second, the motion to oppose SB 586/HB 503 and HB 1241 to suggest that bills be redrafted or amended to reflect the language used by applicable mechanical codes. The motion passed by a majority, with voting in favor, except Mr. Magazi who abstained due to his momentary departure from the meeting.

Upon Mr. Weglarz's motion and Mr. Needham's second, the Board voted to oppose SB 54 as it could cause public safety issues. The motion passed by a majority, with voting in favor, except Mr. Magazi who voted against the motion.

Executive Director's Report

Mr. Bull addressed the Board regarding vacancies within the Mechanical Licensing unit. He stated the investigator, Victor Portor, has resigned and the Board is currently without an investigator, however, Charles Corbin, an investigator for the Maryland Home Improvement Commission, has been "borrowed" to assist with the backlog of complaints until the vacant position is filled. He stated there is quite a large backlog of complaints to investigate and bring before the Complaint Committee.

Mr. Bull welcomed Mr. Needham to the Board, as he was sworn in and is officially a member of the Board.

Counsel's Report

Counsel Kinstler did not offer a report but thanked Mr. Bull for his coverage of the legislative bills in the current session. She welcomed Mr. Needham to the Board and congratulated Mr. Giangrandi on his new role as Chairman.

Chairman's Report

There was no report offered by the Chairman.

Closed Session

Upon Mr. Weglarz's Motion, and Mr. Kitching's second, the Board unanimously voted to convene in a closed session, remotely, at 11:12 a.m., pursuant to General Provisions Article, to § 3-305(b)(2), (7), and (8), Annotated Code of Maryland, to discuss applications where the applicant disclosed criminal history and to seek advice of counsel.

License Application 01

The Board considered the apprentice license application of an applicant who was convicted of robbery in 2014 and 2016, a felony. The Board noted that the applicant failed to provide a written statement explaining the circumstances of each conviction, notwithstanding Mr. Bull suggesting they do so in a letter mailed prior to the meeting. The applicant also failed to provide documents related to their employment and probation compliance status.

Mr. Weglarz moved to approve the applicant for licensure given the time that has passed. The motion did not receive second.

Upon Mr. Politzer’s Motion and Mr. Magazi’s second, the Board unanimously voted to require the applicant to submit additional information including a letter of explanation; any activities in the community since their release from incarceration; a letter from his employer; and a letter from a probation official regarding compliance status.

Mr. Bull will send the applicant a letter requesting additional information as the Board requested.

Upon, Mr. Weglarz motion and Mr. Kitching second the Board voted to return to the business meeting at 11:29 a.m. The motion was unanimously passed by the Board.

Approval of Findings of Closed Session

The members reviewed the findings of the Closed Session held on February 14, 2024.

Upon Mr. Weglarz’s Motion and Mr. Magazi’s second, the Board voted unanimously to approve the findings of the February 14, 2024, closed session.

Adjournment

With no further business, upon Mr. Weglarz’s Motion and Mr. Kitching’s second, the Board voted to adjourn the February 14, 2024, meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors at 11:32 a.m.

Signature on File

3/22/2024

John Bull
Executive Director

Date

Signed on behalf of the Board as voted and approved on 3/22/2024