



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

Date: August 10, 2022

Time: 10:30 a.m.

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

Members Present: **Brian Hamilton, Chair**, Master HVACR Contractor
Ezio Rebecchi, Master HVACR Contractor
Michael Giangrandi, Master HVACR Contractor
David Politzer, Consumer Member

Members Absent: **Richard C. Ludlow**, Master Plumber
Grant G. Gotlinger, Master Electrician
Amadou Magazi, Master HVACR Contractor

Staff Present: **John Bull**, Executive Director, Mechanic Licensing Boards
Sloane Fried Kinstler, Assistant Attorney General
Sean Heeter, Administrative Officer
Danielle Anderson, Web Content and Outreach Coordinator
Michelle Compton, Law Clerk, OAG-DOL

Staff Absent: None

Guests Present: **Sean Davis**, Food and Drug Administration

Call to Order

Chairman Hamilton called the Business Meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration (“HVACR”) Contractors (“Board”) to order at 10:33 a.m.

Approval of Minutes

Members of the Board reviewed the minutes of the Business Meeting held on April 12, 2022. Upon Mr. Giangrandi’s Motion and Mr. Politzer’s second, the motion was unanimously carried to approve the minutes without amendment or correction.

Complaint Committee Report

Mr. Heeter addressed the Board to inform them that the Complaint Committee did not convene on August 10, 2022.

Application Review Committee

There were no applications to be reviewed.

Review of Examination Statistics and License Totals

Mr. Bull reported the following PSI exam statistical summaries for the month of July 2022:

	Candidates Tested	Passed	Failed	Pass %
Total	54	22	32	41%

Cumulative

Total	436	190	246	44%
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Testing to date

Total	11467	4993	6474	44%
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There are currently 20,062 active licensees.

Executive Director's Report

Mr. Bull addressed the Board stating the open investigator position has closed, there are three (3) qualified applicants, and interviews are expected to be held on August 22, 2022. He stated he was very hopeful to be able to fill the position. He has also advised the Board that he submitted paperwork necessary to advertise for the open Complaint Specialist position.

Mr. Bull stated that, in the past, there have been concerns about meeting minutes being sent out after approval, but not being signed and returned. He asked the Board how they would feel if he signed the approved minutes on behalf of the Board and then filed them for record retention. He stated that, in the past, some boards have had missing minutes, and in order to centralize everything, he requested all of the Mechanical Licensing Boards and members whether they would allow implementation of this plan for the future.

Chairman Hamilton asked Counsel if that would be possible. Ms. Kinstler asked Mr. Bull whether this was a Department policy, and he stated that, in his previous position, at the Department of Health, this was the process for meeting minutes. Ms. Kinstler stated that if the Board Chair authorizes the Executive Director to sign the minutes after the Board has approved them in a public meeting, and there minutes indicate they are "signed on behalf of the Board" and the date they were ratified, then implementation of the policy. She went on to say that the

language would need to be updated to reflect the date of the meeting, that Mr. Bull could sign the original copy for filing, but the copy posted on the website could indicate that the “signature is on the original”. Mr. Bull offered to follow up with suggested language for this statement for the Board’s review. Mr. Bull stated he would send it to Counsel and, subsequently, the Board members.

Old Business

Chairman Hamilton addressed the Board regarding prior Board discussions about a reciprocal licensing agreement with Washington, D.C. Mr. Bull stated that he is working with other states for all Mechanical Licensing Boards to open reciprocal licensing discussions. He stated that West Virginia and D.C. have indicated they will consider only one board at a time as it is the same point of contact who is assisting with that process in each jurisdiction, respectively.

Chairman Hamilton asked if there was an estimated time frame for when an HVACR reciprocal licensing discussion may take place. Mr. Bull stated that it is a new agreement and that he will send the documentation to Counsel for review when available. He also stated that with the recent adoption and implementation of the Electricians law in July 2022 after negotiation of reciprocal licensing agreements for electricians is completed, he will begin discussions for HVACR license reciprocity.

Chairman Hamilton asked if there was a time frame for the electrical discussions to be completed. Mr. Bull stated that it will most likely be completed within a week or two. Counsel Kinstler stated that in July 2022, a law was passed mandating that the Department of Labor explore renegotiation of reciprocal electrician licensing agreements and a report to the legislature on or before the end of the year on legislative changes necessary to implement reciprocal licensing for all master electricians.

Mr. Politzer asked if other Mechanical Licensing Boards have reciprocal agreements. Mr. Bull stated that some of the other mechanical boards have agreements with Delaware, Virginia, and West Virginia. Counsel Kinstler stated that, for HVACR, there is an existing reciprocal licensing agreement with Delaware and Virginia. She also stated that, in the simplest form, a reciprocal license agreement is an exam waiver if the applicant’s license was originally obtained by exam in the jurisdiction from which they are reciprocating. Chairman Hamilton thanked Counsel and Mr. Bull for their input.

New Business

Chairman Hamilton stated there will be new code update by the International Code Committee (“ICC”), which will be implemented in approximately six (6) months. Counsel reminded the Board members that updating to a new code edition will likely require amending COMAR 09.15.05.01—03. Counsel advised that the prior code edition was reviewed by a Code Committee that made recommendations to the full Board. She reminded that Board that it will take some time for a Committee to review Code references to certain sections and other provisions to determine what, if any, require modification(s). Counsel Kinstler stated that the Board will have to notify her of what provisions will be added, stricken, or amended, and what, if any,

amendments are required. She also stated that Mr. Bull will need to submit a concept paper to the Office of the Secretary prior to the Board's authorization propose action to change or amend COMAR 09.19.05.01, .02, or .03.

Mr. Bull stated that the last instruction he received for regulatory changes will occur after the new Governor's Administration is in office. Ms. Kinstler stated that the Code Committee can begin to review and discuss the new code in the interim, but if authorization on action is withheld, any changes could not, most likely, be proposed earlier than February 2023, and then require a 45-day proposal and comment period, at a minimum. Chairman Hamilton thanked Counsel for the information and stated that he will begin to work on a code update and will bring the information to the Board during the September meeting. Counsel notified Chairman Hamilton that an industry member can assist with the review of the ICC code updates prior to submitting it to the Board for approval.

Correspondence

There was no correspondence to be considered.

Counsel's Report

No report from Counsel was necessary.

Chairman's Report

Chairman Hamilton did not offer a report but thanked members and staff for their attendance. He stated that the meetings are important and, with the upcoming code changes, that it is necessary to ensure that Board meetings are held to focus on code updates.

Closed Session

The Board did not convene in closed session.

Adjournment

With no further business, upon Mr. Rebecchi's Motion and Mr. Giangrandi's second, the Board voted unanimously to adjourn the July 13, 2022 meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors at 10:58 a.m.

Signature on File

09/14/22

John Bull
Executive Director

Date

Signed on behalf of the Board as voted and approved on September 14, 2022