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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF CERTIFIED  
REAL ESTATE APPRAISERS  
VIA VIDEOCONFERENCE**

TIME: 10:32 A.M.

Thursday, September 30, 2021

1 State Board of Certified  
2 Real Estate Appraisers  
3 September 30, 2021  
4  
5

6 BOARD MEMBERS:  
7

8 Joseph D. Pasquarella, Chairman, Professional  
9 Member

10 Jeffrey L. Walters, Vice Chairman, Professional  
11 Member

12 Mark V. Smeltzer Sr., Secretary, Professional  
13 Member - Absent

14 John D. Ausherman, Professional Member

15 David Matthews, Professional Member

16 William T. Stoerrle Jr., Professional Member

17 Michael McFarlane, Professional Member

18 Randy L. Waggoner, Professional Member

19 Martha H. Brown, Esquire, Secretary of the  
20 Commonwealth designee

21 Merna T. Hoffman, Esquire, Deputy Attorney General,  
22 Office of Attorney General Designee

23 Paul H. Wentzel Jr., Senior Legislative Director,  
24 Department of Banking and Securities  
25 Designee  
26  
27

28 BUREAU PERSONNEL:  
29

30 Ronald K. Rouse, Esquire, Board Counsel

31 Ray Michalowski, Esquire, Senior Board Prosecution  
32 Liaison

33 Kristel Hennessy Hemler, Board Administrator

34 Andrew LaFratte, MPA, Executive Policy Specialist,  
35 Department of State  
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State Board of Certified  
Real Estate Appraisers  
September 30, 2021

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ALSO PRESENT:

- Teresa Cochran, Executive Director, Assessors' Association of Pennsylvania
- Michelle Czekalski Bradley, CGA, AQB-certified USPAP Instructor; Chair, Appraisal Standards Board
- Jen Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure Committee
- Jerry J. Livingston, Democratic Executive Director, Senate Consumer Protection & Professional Licensure Committee
- Marlene A. Wilson, Executive Director, House Professional Licensure Committee
- Renee Reynolds, Director, State Tax Equalization Board
- Scott DiBiasio, Manager of State and Industry Affairs, Appraisal Institute
- Carrie Bollinger

1 \*\*\*

2 State Board of Certified  
3 Real Estate Appraisers  
4 September 30, 2021

5 \*\*\*

6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
7 9:00 a.m. the Board entered into executive session  
8 with Ronald K. Rouse, Esquire, Board Counsel, to have  
9 attorney-client consultations and for the purpose of  
10 conducting quasi-judicial deliberations. The Board  
11 returned to open session at 10:30 a.m.]

12 \*\*\*

13 Meeting Instructions

14 [Kristel Hennessy Hemler, Board Administrator,  
15 provided instructions to be followed during the  
16 virtual meeting.]

17 \*\*\*

18 [Ronald K. Rouse, Esquire, Board Counsel, informed  
19 everyone that the meeting of the State Board of  
20 Certified Real Estate Appraisers was being held by  
21 teleconference pursuant to an extension of Governor  
22 Wolf's March 16, 2020 waiver of the physical presence  
23 requirement in Section 4(i) of the Real Estate  
24 Appraisers Certification Act.

25 Mr. Rouse also informed everyone that the meeting

1 was being recorded, and those who continued to  
2 participate were giving their consent to be recorded.]

3 \*\*\*

4 The regularly scheduled meeting of the State  
5 Board of Certified Real Estate Appraisers was held on  
6 Thursday, September 30, 2021. Joseph D. Pasquarella,  
7 Chairman, Professional Member, officially called the  
8 meeting to order at 10:32 a.m.

9 Paul Wentzel, Secretary of Banking and Securities  
10 designee, was not present at the commencement of the  
11 meeting.

12 \*\*\*

13 Roll Call

14 [Joseph D. Pasquarella, Chairman, Professional Member,  
15 requested a roll call of Board members.]

16 \*\*\*

17 Approval of minutes of the August 12, 2021 meeting

18 CHAIRMAN PASQUARELLA:

19 The next item on the agenda is the  
20 approval of the minutes.

21 Do I have a motion to approve the  
22 minutes?

23 MR. AUSERMAN:

24 I make a motion to approve the minutes.

25 CHAIRMAN PASQUARELLA:

1 Do I have a second?

2 MR. STOERRLE:

3 Second.

4 CHAIRMAN PASQUARELLA:

5 All in favor of approving the minutes?

6 Any opposed? Hearing none. The motion  
7 carries to approve the minutes.

8 [The motion carried unanimously.]

9 \*\*\*

10 Report of Prosecutorial Division

11 [Ray Michalowski, Esquire, Senior Board Prosecution  
12 Liaison, noted no consent agreements to report. He  
13 addressed his attendance at R-DAY held by the Realtors  
14 Association of Metropolitan Pittsburgh in September.  
15 He mentioned being invited to teach real estate, along  
16 with a panel of other attorneys, but also had the  
17 pleasure in the afternoon of attending a seminar  
18 presented by Michelle Bradley and Mark Smeltzer on  
19 appraisal to the real estate audience.

20 Mr. Michalowski commented that the Realtors  
21 Association includes both appraisers and real estate  
22 agents. He noted all real estate agents and no  
23 appraisers in the audience, stating there would be  
24 much value to additional interaction between the two  
25 professions at the educational level. He informed the

1 Board that Mr. Smeltzer and Ms. Bradley did a  
2 wonderful job of dispensing as much information as  
3 they could in 1 hour, mostly Q&A and a short  
4 presentation by each of them.

5 Mr. Michalowski commented that it was eye opening  
6 to see how much of a disconnect there was, sort of a  
7 mythological understanding of the law by a lot of real  
8 estate agents, including lack of entertaining the  
9 appraisal management companies (AMCs) and knowing the  
10 difference between one side of a bank and another as  
11 far as loan origination versus underwriting.

12 Mr. Michalowski noted there to be a good audience  
13 size but certainly not the majority of real estate  
14 agents in Pennsylvania. He recommends striving toward  
15 both of the professions interacting in a way that is  
16 instructive to the other.

17 Chairman Pasquarella thanked Mr. Michalowski for  
18 sharing the information, noting he was also unaware of  
19 a disconnect between the professions. He suggested  
20 those active in education or active with appraisal  
21 chapters or even the Assessors' Association of  
22 Pennsylvania (AAP) may want to use this as a topic  
23 within their organizations. He commented that he  
24 would suggest the topic to the Philadelphia Chapter.

25 Mr. Michalowski mentioned representing the

1 Commission numerous times for both the Pennsylvania  
2 Association of Realtors and various realtor  
3 associations but they are typically interested in  
4 prosecution for real estate. He mentioned that he has  
5 not really seen appraisal be presented at those and  
6 will pass it along to the Board the next time he gets  
7 an invitation for it to be passed to stakeholders.

8 Mr. Michalowski will also mention the advantages  
9 of other presentations to the people inviting him as  
10 well. He noted the presentation was not really a  
11 prosecutorial type of thing but more of a practice  
12 type of issue, stating there were many individuals on  
13 the Board and people they know who do education.]

14

\*\*\*

15 Report of Board Counsel

16 MR. ROUSE:

17 Item 2 on the agenda is a Final  
18 Adjudication and Order in the Matter of  
19 BPOA v. Raleigh J. Chesley, Case No. 20-  
20 70-001584, which was a matter discussed  
21 in executive session.

22 Regarding the Final Adjudication in  
23 the Matter of BPOA v. Raleigh J.  
24 Chesley, I believe the Board would  
25 entertain a motion to adopt the



1 Adjudication and Order as presented by  
2 Board counsel and to direct Board  
3 counsel to prepare the Board's Final  
4 Order.

5 Is there such a motion?

6 MR. STOERRLE:

7 I make the motion.

8 MR. ROUSE:

9 Is there a second?

10 MR. WAGGONER:

11 I second that motion.

12 MR. ROUSE:

13 Any discussion? All those in favor, say  
14 aye. All those opposed, say nay.

15 [The motion carried unanimously.]

16 \*\*\*

17 MR. ROUSE:

18 Item 3 on the agenda is a Motion to Deem  
19 Facts Admitted in the Matter of BPOA v.  
20 Michael Christopher Definis, Case No.  
21 20-70-008367.

22 Regarding the Matter of BPOA v.  
23 Michael Christopher Definis, which was  
24 discussed in executive session, I  
25 believe the Board would entertain a

1 motion to grant the Motion to Deem Facts  
2 Admitted and to direct Board counsel to  
3 prepare the Adjudication and Order in  
4 accordance with the discussion in  
5 executive session.

6 Is there such a motion?

7 MR. AUSERMAN:

8 I so move.

9 MR. ROUSE:

10 Is there a second?

11 MR. MCFARLANE:

12 I second that motion.

13 MR. ROUSE:

14 Any discussion? All those in favor, say  
15 aye. All those opposed, say nay.

16 [The motion carried unanimously.]

17 \*\*\*

18 Report of Board Counsel - Miscellaneous

19 [Ronald K. Rouse, Esquire, Board Counsel, addressed  
20 the Appraiser Qualifications Board (AQB) changes  
21 adopted to the Real Property Appraiser Qualification  
22 Criteria. He stated AQB adopted a new edition of the  
23 Real Property Appraiser Qualification Criteria on  
24 August 24, 2021, which will take effect on January 1,  
25 2022.

1           Mr. Rouse addressed updates to the new edition of  
2 AQB Criteria, where synchronous courses will now be  
3 considered the equivalent to in-person classroom  
4 courses, and synchronous courses will no longer  
5 require a delivery mechanism approval under the AQB  
6 criteria.

7           Mr. Rouse noted that an alternative course  
8 delivery mechanism approval will be established for  
9 asynchronous courses, meaning asynchronous courses  
10 would not just require International Distance  
11 Education Certification Center (IDECC) approval, but  
12 there would be another source as well other than IDECC  
13 that could be used as a course delivery mechanism  
14 approval system.

15           Mr. Rouse noted hybrid courses would have to meet  
16 the requirements of both synchronous and asynchronous  
17 requirements and qualifying and continuing education  
18 courses may use remote proctoring, including biometric  
19 proctoring.

20           Mr. Rouse reminded the Board of prior discussion  
21 regarding exposure drafts, noting those matters have  
22 been approved by the AQB. He asked whether the Board  
23 wanted him to draft a proposed annex for their  
24 regulations to include the items regarding synchronous  
25 and asynchronous and hybrid course delivery to be

1 consistent with AQB, stating it would be appropriate  
2 to have Board regulations reflect that change.

3 Mr. Rouse noted the Board received correspondence  
4 from the Assessors' Association of Pennsylvania  
5 related to this matter concerning certified  
6 Pennsylvania evaluator (CPE) distance education.

7 Teresa Cochran, Executive Director, Assessors'  
8 Association of Pennsylvania, thanked the AQB for  
9 allowing AAP to continue the distance education. She  
10 stated AAP offers synchronous classes through Zoom  
11 that have been beneficial for them and will also be a  
12 great benefit to their members going into 2022.

13 Ms. Cochran commented that the continuing  
14 education classes offered by AAP would be covered but  
15 requested confirmation on whether or not the distance  
16 learning is still an okay method for their qualifying  
17 classes.

18 Mr. Rouse asked the Board whether they want him  
19 to also draft a proposed annex for the certified  
20 Pennsylvania evaluators consistent with what AQB has  
21 stated regarding distance education.

22 Chairman Pasquarella commented that clarity  
23 trumps everything, and it would be an excellent  
24 opportunity to draft the annex to address the  
25 situation.]

1 MR. ROUSE:

2           Would the Board entertain a motion to  
3           direct Board counsel to draft a proposed  
4           annex regarding distance education for  
5           both appraisers and certified  
6           Pennsylvania evaluators consistent with  
7           what the AQB has described in its AQB  
8           Criteria, which will take effect January  
9           1, 2022?

10 CHAIRMAN PASQUARELLA:

11           I make that motion.

12 MR. ROUSE:

13           Is there a second?

14 MR. WAGGONER:

15           I'll second that motion.

16 MR. ROUSE:

17           Any discussion? All those in favor, say  
18           aye. All those opposed, say nay.

19 [The motion carried unanimously.]

20   \*\*\*

21 [Ronald K. Rouse, Esquire, Board Counsel, informed the  
22 Board that he would provide a proposed annex for  
23 discussion at the next meeting.]

24           Ms. Cochran commented that the asynchronous  
25 method is out of the realm of possibility for AAP as

1 far as expenses, and the biggest issue is getting  
2 clarity on qualifying classes. She stated there were  
3 more people than ever taking advantage of classes with  
4 AAP, and AAP was the only organization currently  
5 offering those classes.

6 Ms. Cochran noted the importance of making it as  
7 easy as possible for counties to be able to get  
8 individuals online in their assessment offices. She  
9 stated there are quite a number of counties either in  
10 the middle of preparing for a reassessment or thinking  
11 about getting ready for a reassessment and having  
12 those individuals come online is very valuable to AAP.  
13 She noted AAP is also facing a shortage of workers  
14 just like anybody else in the United States, so  
15 anything they can do to help counties would be great.

16 Mr. Rouse noted the issue of remote proctoring  
17 would also be addressed in the annex since AQB is  
18 authorizing remote proctoring for qualifying and  
19 continuing education courses.]

20

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21 [Paul Wentzel, Secretary of Banking and Securities  
22 designee, entered the meeting at 10:49 a.m.]

23

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24 Report of Board Counsel - Other

25 MR. ROUSE:

1 This is the Petition for Reinstatement  
2 of Matthew Moore, identified as Case  
3 Nos. 09-70-01110 & 09-70-02873. It has  
4 a new Case No. 21-70-015415.

5 I believe the Board would entertain  
6 a motion to direct Board counsel to  
7 prepare a Final Order consistent with  
8 discussions in executive session.

9 Is there such a motion?

10 MR. AUSHERMAN:

11 I so move.

12 MR. ROUSE:

13 Is there a second?

14 MR. STOERRLE:

15 Second.

16 MR. ROUSE:

17 Any discussion? All those in favor, say  
18 aye. All those opposed, say nay.

19 [The motion carried unanimously.]

20 \*\*\*

21 Report of Board Counsel - Regulatory Discussion

22 [Ronald K. Rouse, Esquire, Board Counsel, referred to  
23 the annex for 16A-7026 regarding Act 88 amendments to  
24 the Assessors Certification Act. He noted a second  
25 exposure draft of 16A-7026 was released to

1 stakeholders by email on August 12, 2021, for review.  
2 He reported no written comments were received  
3 concerning the second exposure draft on the amendments  
4 to the regulations to make them consistent with the  
5 amendments to the Assessors Certification Act.]

6 MR. ROUSE:

7                   Would the Board entertain a motion to  
8                   adopt the proposed annex and to direct  
9                   Board counsel to move forward with the  
10                  regulatory process by drafting the  
11                  preamble?

12 CHAIRMAN PASQUARELLA:

13                   I'll make that motion.

14 MR. ROUSE:

15                   Is there a second?

16 MR. AUSERMAN:

17                   I second.

18 MR. ROUSE:

19                   Any discussion? All those in favor, say  
20                   aye. All those opposed, say nay.

21 [The motion carried unanimously.]

22   \*\*\*

23 Report of Board Chairman - No Report

24   \*\*\*

25 Report of Board Administrator



1 [Kristel Hennessy Hemler, Board Administrator,  
2 provided the proposed 2023 and 2024 meeting dates for  
3 the Board's review and approval.]

4 CHAIRMAN PASQUARELLA:

5                   Could we have a motion to approve the  
6                   meeting dates for the Board for 2023 and  
7                   2024?

8 MS. BROWN:

9                   So moved.

10 CHAIRMAN PASQUARELLA:

11                   Do I have a second?

12 MR. MATTHEWS:

13                   Second.

14 CHAIRMAN PASQUARELLA:

15                   Any discussion? All in favor of the  
16                   motion to approve, say aye. Any  
17                   opposed?

18 [The motion carried unanimously.]

19   \*\*\*

20 Matters for Discussion

21 [Ronald K. Rouse, Esquire, Board Counsel, addressed  
22 licensed appraiser trainee supervisor allowance. He  
23 stated a licensed appraiser trainee can have multiple  
24 supervisors but a licensed appraiser trainee can only  
25 have one supervisor per assignment. He stated Board

1 regulations were amended so the Board can follow AQB  
2 Criteria in appraiser qualification matters.

3 Mr. Rouse referred to AQB Criteria under the  
4 trainee real property appraiser section, where it  
5 states that the trainee appraiser is permitted to have  
6 more than one supervisory appraiser, but a supervisor  
7 may not supervise more than three trainee appraisers  
8 at one time. He stated the trainee appraiser can only  
9 have one supervisory appraiser per assignment, as that  
10 person will directly supervise and control the trainee  
11 appraiser's work on that assignment.

12 Chairman Pasquarella commented that there is only  
13 a place for one supervisor with the current system  
14 when the trainee registers the supervisors that he or  
15 she will be working under and requested more  
16 information and discussion.

17 Ms. Hemler stated the applications were not  
18 online yet and are still PDF documents that have to be  
19 filled out by the licensed appraiser trainee and  
20 supervisor. She explained that there can be multiple  
21 supervisors for a licensed appraiser trainee, but when  
22 it is time for the licensed appraiser trainee to fill  
23 out the forms for their work experience, they will  
24 have to group the supervisors in one particular group.

25 Ms. Hemler noted that one supervisor will be

1 listed with all of the assignments that the licensed  
2 appraiser trainee performed with that one supervisor  
3 and then they would fill out another group of  
4 documents for the other supervisors.

5 Michelle Czekalski Bradley, CGA, AQB-certified  
6 USPAP Instructor; Chair, Appraisal Standards Board,  
7 thanked the Board for discussing appraiser trainee and  
8 supervisors on record. She mentioned that the topic  
9 came up at an Appraisal Institute Convention, where  
10 Pennsylvania-based appraisers were under the  
11 impression that a trainee could only have one  
12 supervisor for the entire training experience. She  
13 noted indicating that to be incorrect at the meeting,  
14 although several people in the room believed that to  
15 be so.]

16 \*\*\*

17 Miscellaneous

18 [Ray Michalowski, Esquire, Senior Board Prosecution  
19 Liaison, referred to the Board's approval of Mr. Rouse  
20 drafting the regulation to allow distance education to  
21 continue as the remote version. He informed everyone  
22 of House Bill 1849 that would do almost exactly the  
23 same thing under the Real Estate Licensing and  
24 Registration Act. He stated they have a temporary  
25 waiver that has allowed the same kind of distance

1 education and want to make it permanent.

2 Mr. Michalowski mentioned that the bill is  
3 sponsored by Representative Polinchock, noting it is  
4 always faster to get things done through legislation  
5 than through the regulatory process. He believed the  
6 Pennsylvania Association of Realtors (PAR) is aware of  
7 House Bill 1849, which seems to be almost exactly the  
8 same changes the Board is talking about promoting for  
9 both assessors and appraisers.

10 Mr. Michalowski commented that the Board cannot  
11 get that into legislative form but professional  
12 associations and organizations may want to attempt  
13 that because of the similar issues, where they would  
14 like the advantages of remote education that has been  
15 available and are trying to make it permanent.]

16 \*\*\*

17 Correspondence

18 [Ronald K. Rouse, Esquire, Board Counsel, referred to  
19 correspondence from the Assessors' Association of  
20 Pennsylvania regarding the CPE Exam and CPE Distance  
21 Education.

22 Ms. Cochran commented that a lot of their  
23 teaching is based on the *Property Assessment Valuation*  
24 (*PAV*) book that is published by the International  
25 Association of Assessing Officers (IAAO). She

1 mentioned that IAAO is no longer going to be providing  
2 any updates. She noted that Board's testing agency  
3 PSI Services LLC (PSI) use a lot of that content to  
4 draw their questions for the CPE licensing exam. She  
5 requested information on what to do in the future  
6 years because there is nothing comparable to replace  
7 the PAV book by IAAO.

8 Ms. Cochran stated IAAO was considering merging  
9 the PAV book with another textbook but would be a long  
10 process. She asked whether the Board is aware of what  
11 PSI uses to put together the tests for the CPE Exam  
12 and whether they have any plans to use other tests if  
13 PAV no longer is available and not published.

14 Ms. Cochran mentioned AAP is deciding whether or  
15 not to continue using PAV or put together their own  
16 course materials. She noted there are a lot of  
17 questions regarding AAP moving forward.

18 Mr. Rouse informed Ms. Cochran that the Board  
19 cannot provide an answer because the contract with PSI  
20 is ending next year around June or July. He noted  
21 being in the process of sending out a request for  
22 quotes very soon in order to create a contract with a  
23 company to provide appraiser and assessor exams. He  
24 mentioned that the Board would offer information in  
25 the future regarding which company will be providing

1 the exam.]

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3 Introduction of Public Members

4 [Joseph D. Pasquarella, Chairman, Professional Member,  
5 requested an introduction of public members.]

6

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7 Public Session

8 [Scott DiBiasio, Manager of State and Industry  
9 Affairs, Appraisal Institute, thanked the Board for  
10 addressing the need to propose new rules to adopt the  
11 AQB requirements regarding distance education and  
12 remote proctoring. He stated the Appraisal Institute  
13 had the same thought regarding Representative  
14 Polinchock's House Bill 1849 but may not need to if  
15 the Board is going to address it via rules.

16 Mr. DiBiasio commented that it would be  
17 preferable to have something in the statute but that  
18 the bill is far down the legislative path at this  
19 point and they may not be able to do that. He noted  
20 having it in rules is equivalent and looks forward to  
21 seeing the rules and offering any comments they have  
22 at the appropriate time.

23 Chairman Pasquarella thanked the public for  
24 joining the meeting today, noting their input and  
25 interest in the Board is greatly appreciated.]

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Adjournment

CHAIRMAN PASQUARELLA:

I will ask for a motion to adjourn  
today's meeting.

Do I have a motion to adjourn?

MR. WENTZEL:

So moved.

CHAIRMAN PASQUARELLA:

Do I have a second?

MR. AUSERMAN:

Second.

CHAIRMAN PASQUARELLA:

Any discussion? All in favor of  
adjournment, say aye. Any opposed?

[The motion carried unanimously.]

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[There being no further business, the State Board of  
Certified Real Estate Appraisers Meeting adjourned at  
11:13 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Certified Real Estate Appraisers meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Certified Real Estate Appraisers meeting.

Samantha Sabatini

Samantha Sabatini,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.



STATE BOARD OF CERTIFIED  
REAL ESTATE APPRAISERS  
REFERENCE INDEX

September 30, 2021

	TIME	AGENDA
1		
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8		
9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:32	Official Call to Order
14		
15	10:32	Roll Call
16		
17	10:33	Approval of Minutes
18		
19	10:34	Report of Prosecutorial Division
20		
21	10:38	Report of Board Counsel
22		
23	10:53	Report of Board Administrator
24		
25	10:54	Miscellaneous
26		
27	11:03	Correspondence
28		
29	11:06	Introduction of Public Members
30		
31	11:07	Public Session
32		
33	11:13	Adjournment
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