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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 CRANE OPERATORS MEETING
CONDUCTED VIA TELECONFERENCE**

TIME: 9:02 A.M.

One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

May 27, 2020

State Board of Crane Operators
May 27, 2020

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BOARD MEMBERS:

Michael A. Becker, Professional Member, Chair
K. Kalonji Johnson, Acting Commissioner of
Professional and Occupational Affairs
Andrew S. Goulet, Professional Member
Daniel R. Haulman, Professional Member
F. Allan Mauger, Jr., Public Member
Brian M. Schmoyer, Professional Member - Absent

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Board Counsel
Colby Widdowson, Esquire, Board Prosecution Liaison
Amanda Li, Board Administrator

Theodore Stauffer, Executive Assistant, Pennsylvania
Department of State
Marc Farrell, Deputy Policy Director, Pennsylvania
Department of State
Andrew LaFratte, MPA, Department of State

ALSO PRESENT:

Richard Thompson, National Commission for the
Certification of Crane Operators

1 ***

2 State Board of Crane Operators

3 May 27, 2020

4 ***

5 The regularly scheduled meeting of the State
6 Board of Crane Operators was held on Wednesday, May
7 27, 2020. Michael A. Becker, Professional Member,
8 Chair, called the meeting to order at 9:02 a.m. He
9 stated the meeting was being recorded and voluntary
10 participation constitutes consent to be recorded.

11 ***

12 CHAIR BECKER:

13 Do I have a motion to start the meeting?

14 MR. HAULMAN:

15 I'll make a motion to start the meeting.

16 ACTING COMMISSIONER JOHNSON:

17 I'll second.

18 CHAIR BECKER:

19 All in favor? Opposed?

20 [The motion carried unanimously.]

21 ***

22 Introductions

23 [Chair Becker requested the introduction of Board
24 members, Bureau Personnel, and audience members.]

25 ***

1 Approval of Minutes

2 [Approval of Minutes of the January 22, 2020 meeting.]

3 CHAIR BECKER:

4 Do I have a motion to approve the
5 Minutes?

6 MR. MAUGER:

7 I'll make a motion to approve the
8 Minutes as written.

9 MR. HAULMAN:

10 I'll second that motion.

11 CHAIR BECKER:

12 All in favor, say aye? Opposed?

13 [The motion carried unanimously.]

14 ***

15 [Michael A. Becker, Professional Member, Chair, exited
16 the meeting at 9:07 a.m. for recusal purposes.]

17 ***

18 Report of Prosecutorial Division

19 [Colby Widdowson, Esquire, Board Prosecution Liaison,
20 presented a Consent Agreement for File No. 18-71-
21 011416.]

22 ***

23 [Michael A. Becker, Professional Member, Chair, re-
24 entered the meeting at 9:10 a.m.]

25 Report of Board Counsel

1 [Dean F. Picarella, Esquire, Board Counsel, noted
2 items for discussion in Executive Session.]

3

4 Act 41 Regulations

5 [Mr. Picarella discussed the Act 41 Regulation,
6 Licensure by Endorsement. He explained the Act allows
7 individuals from other jurisdictions and countries
8 access to licensure in Pennsylvania. Mr. Picarella
9 noted all of the Boards are promulgating the
10 regulation. He adapted the regulations of this Board.

11 He noted the regulation needed the Board's
12 review. If the amended regulation met the Board's
13 approval, it would be sent out as an exposure draft
14 for stakeholders for comment. The main items of
15 concern for the Board were whether the applicant was
16 in good standing in another jurisdiction and that the
17 licensure requirements in the other jurisdiction were
18 substantially equivalent to Pennsylvania.

19 Ways of demonstrating competence were noted,
20 including continuing education requirements, which
21 this Board does not have, and to prove competency by
22 actively engaging in the profession for two of the
23 past five years. He discussed the terms of a
24 provisional license for those individuals who do not
25 technically meet all of the requirements.

1 Mr. Picarella requested a motion to adopt the Act
2 41 Annex as stated which would then be sent out as an
3 exposure draft for comment.

4 Acting Commissioner Johnson noted this would
5 ensure that the Board is providing the greatest
6 opportunity for qualified professionals to come to
7 PA.]

8 MR. PICARELLA:

9 The Board would entertain a motion to
10 adopt Annex Act 41 as on the agenda at
11 Item No. 3 and to direct that the Annex
12 be sent out for exposure draft.

13 CHAIR BECKER:

14 Do I have a motion for Act 41 regulations
15 to be approved?

16 MR. GOULET:

17 I'd like to make that motion for Act 41
18 regulations to be approved.

19 ACTING COMMISSIONER JOHNSON:

20 Second.

21 CHAIR BECKER:

22 All in favor? Any opposed?

23 [The motion passed unanimously.]

24 ***

25 Miscellaneous

1 [Mr. Picarella noted, due to coronavirus issues and
2 the ability of certain members of professions to
3 conform with certain regulatory and statutory issues
4 of licensure, the Commonwealth has been waiving some
5 requirements in the regulations.

6 He commented, with this Board, one issue might be
7 recertification for licensure which does not always
8 coincide with the renewal period. He indicated that
9 steps had been taken to waive parts of the regulation
10 under the Act, 501(f) and 502(b) and 49 Pa. Code,
11 Section 6.12 and 49 Pa. Code, Section 6.23(2) until 30
12 days after the emergency declaration is lifted.]

13 ***

14 Report of Acting Commissioner

15 [K. Kalonji Johnson, Acting Commissioner, Bureau of
16 Professional and Occupational Affairs, thanked Board
17 members for their flexibility and commitment. He
18 stated virtual meetings would be the normal for a
19 little while.]

20 ***

21 Report of Board Chair - No Report

22 ***

23 Report of Board Administrator - No Report

24 ***

25 [Acting Commissioner Johnson noted the presence of

1 Marc Farrell and Andrew LaFratte from the Department
2 of State Policy Office at the meeting. He stated,
3 along with Board Counsel, many of the recent policies
4 and regulatory suspensions were the direct result of
5 the combined efforts of Mr. Farrell, Mr. LaFratte, and
6 Policy Director Justin Meyers.

7 Mr. Picarella noted many people behind the scenes
8 have put in time and effort to ensure the safety of
9 the licensing population as well as members of the
10 Commonwealth.]

11

12 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
13 9:29 a.m. the Board entered into Executive Session
14 with Dean F. Picarella, Board Counsel, for the purpose
15 of conducting quasi-judicial deliberations in a number
16 of matters that are currently pending before the Board
17 and to receive the advice of Counsel. The Board
18 returned to open session at 9:52 a.m.]

19

20 MOTIONS

21 CHAIR BECKER:

22 We just finished Executive Session
23 wherein matters of personnel and quasi-
24 judicial decisions were made.

25

I guess we can start with the

1 matter regarding the Application case.
2 And it's my understanding the Board
3 would entertain a motion to grant the
4 Application for Licensure of R. Rucks,
5 Item No. 5 on the agenda.

6 Do we have any body wishing to make
7 a motion on that?

8 MR. GOULET:

9 I make a motion to approve the initial
10 license application for No. 5, R. Rucks.

11 MR. MAUGER:

12 I'll second that motion for R. Rucks,
13 Item No. 5.

14 CHAIR BECKER:

15 All in favor? Opposed?

16 [The motion carried unanimously.]

17 ***

18 CHAIR BECKER:

19 The second matter to be voted on by the
20 Board is the Consent Agreement, Item No.
21 2 on the agenda, File No. 18-71-011416.

22 I believe the Board would entertain
23 a motion to accept the Consent Agreement
24 as read.

25 MR. MAUGER:

1 I'll make a motion we accept the 18-71-
2 011416 Consent Agreement as written.

3 MR. GOULET:

4 I'd like to second that motion.

5 CHAIR BECKER:

6 I need somebody to do the roll call.

7 MR. MAUGER:

8 All in favor? Opposed?

9 [The motion carried. Chair Becker recused from
10 deliberations and voting on the motion. The
11 Respondent's name is Cory Stackhouse.]

12 ***

13 Adjournment

14 CHAIR BECKER:

15 I'm looking for a motion to adjourn the
16 May 27, 2020 meeting.

17 ACTING COMMISSIONER JOHNSON:

18 So moved.

19 MR. GOULET:

20 I'll second that motion.

21 CHAIR BECKER:

22 All those in favor? Opposed?

23 [The motion carried unanimously.]

24 ***

25 [The State Board of Crane Operators Meeting adjourned

1 at 9:57 a.m.]

2

3 [The next meeting is scheduled for July 22, 2020.]

4

5

6

CERTIFICATE

7

8 I hereby certify that the foregoing summary
9 minutes of the State Board of Crane Operators meeting,
10 was reduced to writing by me or under my supervision,
11 and that the minutes accurately summarize the
12 substance of the State Board of Crane Operators
13 meeting.

14

15



16

Derek Richmond,

17

Minute Clerk

18

Sargent's Court Reporting

19

Service, Inc.

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STATE BOARD OF CRANE OPERATORS
REFERENCE INDEX

May 27, 2020

TIME	AGENDA
9:02	Official Call to Order
9:05	Introductions
9:06	Approval of Minutes
9:07	Report of Prosecutorial Division
9:10	Report of Board Counsel
9:23	Report of Acting Commissioner
9:29	Executive Session
9:52	Return to Open Session
9:52	Motions
9:57	Adjournment

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