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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

TIME: 9:00 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room C
2601 North Third Street
Harrisburg, Pennsylvania 17110

July 24, 2019

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State Board of Crane Operators
July 24, 2019

BOARD MEMBERS:

Daniel R. Haulman, Professional Member, President
K. Kalonji Johnson, Commissioner of Professional and
Occupational Affairs - Absent
Michael A. Becker, Professional Member
F. Allan "Buddy" Mauger Jr., Public Member

BUREAU PERSONNEL:

William C. Fritz, Esquire, Board Counsel
Colby Widdowson, Esquire, Board Prosecution Liaison
Heather McCarthy, Esquire, Board Prosecutor
Carolyn DeLaurentis, Deputy Chief Counsel,
Prosecution Division
Cynthia Montgomery, Deputy Chief Counsel,
Prosecution Division
Amanda Li, Board Administrator

ALSO PRESENT:

Matthew Shaw, Coordinator, Regulatory Affairs,
National Commission for the Certification of Crane
Operators (NCCCO)

1 ***

2 State Board of Crane Operators

3 July 24, 2019

4 ***

5 The regularly scheduled meeting of the State Board
6 of Crane Operators was held on Wednesday, July 24,
7 2019.

8 ***

9 Official Call to Order

10 [Daniel R. Haulman, President, Professional Member,
11 called the meeting to order at 9:00 a.m. A roll call
12 was taken.]

13 ***

14 Introduction of Board Members, Board Staff, and
15 Audience

16 [President Haulman requested the introduction of Board
17 members, staff, and audience in attendance.]

18 ***

19 Approval of Minutes of May 22, 2019 meeting.

20 PRESIDENT HAULMAN:

21 At this time, I'd like to review the
22 Minutes from the last Board meeting. Are
23 there any corrections that need to be
24 made?

25 MR. BECKER:

1 I saw no corrections. I make a motion to
2 accept the Minutes from the last meeting.

3 MR. MAUGER:

4 I'll second that motion.

5 PRESIDENT HAULMAN:

6 All in favor?

7 [The motion carried unanimously.]

8 ***

9 Report of Prosecutorial Division

10 Report of Deputy Chief Counsel Carolyn DeLaurentis

11 [Carolyn A. DeLaurentis, Esquire, Deputy Chief

12 Counsel, Prosecution Division, introduced herself and

13 provided a brief summary of her professional

14 background.

15 Ms. DeLaurentis reviewed information for the

16 State Board of Crane Operators for FY 2018-2019,

17 noting that 60 cases were opened with 48 open files as

18 of July 1, 2019. She also provided information

19 regarding enforcement statistics.

20 Ms. DeLaurentis noted six warning letters were

21 sent. There were seven cases that resulted in fines,

22 one case resulted in a reprimand, and four cases

23 resulted in probation. She reviewed the process for

24 an immediate temporary suspension for an immediate

25 danger to the health and safety of the public. For FY

1 [William C. Fritz, Esquire, Board Counsel, noted
2 matters for discussion during Executive Session.

3 Mr. Fritz stated Act 41 - House Bill 1172,
4 Licensure by Endorsement, recently passed. He
5 explained the bill provides for the expediting of
6 licensure in the Commonwealth for individuals licensed
7 in another state or reciprocity. The Board will have
8 to draft regulatory changes to enact the bill.]

9 ***

10 Regulatory Process Presentation

11 [Cynthia Montgomery, Esquire, Deputy Chief Counsel,
12 introduced herself and provided a brief summary of her
13 professional background.

14 Ms. Montgomery detailed the following eight steps
15 in the regulatory process: Drafting of the proposed
16 regulation; Pre-publication review and public
17 comments; Comment period for Independent Regulatory
18 Review Commission (IRRC) and Committees; the Board's
19 review and drafting of revisions; Final-form version
20 of the regulation and response; Review period by the
21 Independent Regulatory Review Commission (IRRC) and
22 Committees; the Office of Attorney General review; and
23 the Final Publication in the Pennsylvania Bulletin.

24 Ms. Montgomery reviewed the statutory authority of
25 the Board. She also discussed the Board's commitment

1 under Section 204 of the Commonwealth Documents Law to
2 omit the notice of proposed rulemaking under very
3 limited circumstances.

4 Ms. Montgomery explained the Latin phrase "sine
5 die", meaning "without day", as it refers to the final
6 adjournment of a two-year legislative session in
7 Pennsylvania. Agencies may not deliver final
8 regulations to the Commission and the standing
9 committees in the period between sine die and the
10 opening of the next legislative session. Proposed
11 regulations can be drafted and reviewed by IRRC and
12 the Committees during this time.

13 Mr. Fritz noted the Board's pending proposed
14 rulemaking, Act 48, Citations and Civil Penalties.]

15 ***

16 Report of Commissioner - No Report

17 ***

18 Report of Board President - No Report

19 ***

20 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
21 9:44 a.m. the Board entered into Executive Session
22 with William C. Fritz, Esquire, for the purpose of
23 conducting quasi-judicial deliberations. The Board
24 returned to open session at 9:59 a.m.]

25 ***

1 MR. MAUGER:

2 I will second that motion.

3 PRESIDENT HAULMAN:

4 All in favor?

5 Motion passed.

6 [The motion carried unanimously.]

7 ***

8 MR. FRITZ:

9 The Board would entertain a motion to
10 delegate the following matter to the
11 Office of Hearing Examiners for a hearing
12 and issuance of a proposed Adjudication
13 and Order: William A. Porter, L.C.O.,
14 File No. 16-71-13835.

15 MR. MAUGER:

16 I'll make a motion we send it to the
17 Hearing Examiner.

18 MR. BECKER:

19 I'll second that motion.

20 PRESIDENT HAULMAN:

21 All in favor, aye?

22 Motion approved.

23 [The motion was carried unanimously.]

24 ***

25 MR. FRITZ:

1 The Board would entertain a motion to
2 approve the Adjudication and Order for
3 Steerlite Construction USA, Incorporated,
4 File No. 14-71-01702.

5 MR. MAUGER:

6 I'll make a motion we approve that.

7 MR. BECKER:

8 I'll second that motion.

9 PRESIDENT HAULMAN:

10 All in favor?

11 Motion approved.

12 [The motion carried unanimously.]

13 ***

14 MR. FRITZ:

15 Finally, the Board would entertain a
16 motion to schedule the following matter
17 for a hearing before the Board for The
18 Crane Institute of America Certification,
19 Incorporated, at File No. 19-71-00626.

20 MR. BECKER:

21 I'll make a motion that we hear the case
22 as mentioned.

23 PRESIDENT HAULMAN:

24 I second that motion. All in favor?

25 Motion passed.

1 [The motion carried unanimously.]

2 ***

3 [President Haulman opened the floor for public
4 comments.]

5 Matthew Shaw, Coordinator, Regulatory Affairs,
6 NCCCO, questioned the Board's posting of its final
7 minutes on its website. Ms. Li explained the minutes
8 must be posted by the Department's Web Content
9 Administrator following approval by the Board.

10 Mr. Fritsch noted the Board's next meeting date of
11 September 25, 2019.]

12 ***

13 Adjournment

14 PRESIDENT HAULMAN:

15 I'd like to make a motion to adjourn the
16 July meeting of the State Board of Crane
17 Operators.

18 MR. MAUGER:

19 I'll second that motion.

20 PRESIDENT HAULMAN:

21 All in favor?

22 Meeting adjourned.

23 ***

24 [There being no further business, the State Board of
25 Crane Operators Meeting adjourned at 10:03 a.m.]

1 ***

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4 CERTIFICATE

5
6 I hereby certify that the foregoing summary
7 minutes of the State Board of Crane Operators meeting,
8 was reduced to writing by me or under my supervision,
9 and that the minutes accurately summarize the
10 substance of the State Board of Crane Operators
11 meeting.

12
13 *Bridget Hockenbroch*

14 Bridget Hockenbroch,

15 Minute Clerk

16 Sargent's Court Reporting

17 Service, Inc.
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STATE BOARD OF CRANE OPERATORS
REFERENCE INDEX
July 24, 2019

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TIME	AGENDA
9:00	Official Call to Order
9:00	Audience Members Introduced
9:02	Adoption of Minutes
9:03	Report of Prosecutorial Division
9:11	Report of Board Counsel
9:44	Executive Session
9:59	Return to Open Session
9:59	Motions
10:03	Adjournment