

## **MINUTES OF REGULARY SCHEDULED PUBLIC MEETING**

*This regular meeting of the Alarm & Locksmith Industry Committee, scheduled to begin @ 9:00 a.m. on the 5th day of December, 2012 was convened in accordance with the Oklahoma Open Meeting Act [pursuant to 25 O.S. §3011(11)] Further, an advance public notice that was sent to the Secretary of State's Office of Administrative Rules by Facsimile Dec. 12, 2011, prior to this time today, specifying the time & place of the meeting here convened, preceded this meeting. Notice of this meeting was given at least twenty-four (24) hours prior here to & no one filed a written request of notice of meetings of this public body to date.*

PUBLIC BODY: Alarm & Locksmith Industry Committee

DATE: Wednesday, December 5, 2012

ADDRESS: Oklahoma Department of Labor (ODOL)  
3017 N Stiles, Suite 100  
Oklahoma City, OK. 73105

CONTACT PERSON: Rick Flanigan

TELEPHONE: (405) 521-2612

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Meeting commenced @ 9:01 a.m.

### **Agenda Item 1:**

#### **Call to Order**

Committee members present: Bob Carroll, Charles Hudecek, Ed Humes, James Perry, Lisa Fields, Rick Flanigan, and Zeke Lay

Committee member(s) absent: Ronald Edwards (arrived at 9:11 am)

Staff Present: Don Schooler, Denise Hader, Bettye Finch, Laurie Menge & Carrie Wasser

### **Agenda Item 2:**

#### **Approval of Minutes of October 3, 2012 Alarm and Locksmith Advisory Committee**

Motion by Rick Flanigan: Approval to table minutes of November 7, 2012 Minutes until January 2, 2013 Advisory Committee meeting due to typographical error on agenda; motion seconded by James Perry.

Roll Call:

Aye: Bob Carroll, Charles Hudecek, Ed Humes, James Perry, Lisa Fields, Rick Flanigan, and Zeke Lay

Note: Ronald Edwards arrived for the committee meeting at 9:11 am.

**Agenda Item 3:**

**Review, discussion, and potential approval to recommend an Alarm and Locksmith rules package to the Labor Commissioner**

Rick Flanigan submitted to the Alarm and Locksmith Committee a rules package for review, discussion, and potential approval to submit to the Labor Commissioner.

Committee questions were raised concerning the term “marketing” and the definition of “sales”. Rick Flanigan indicated a change made to the definition of “sales” is the exclusion of marketing.

Committee questions were raised concerning the proposed changes regarding company license display. Rick Flanigan indicated the company license number would need to be put only on documents that address alarms and locksmith. The proposed new changes state specific size of lettering and allows for temporary license display (i.e.: magnetic).

Rick Flanigan indicated previously new construction was not specifically addressed; the current proposed regulations expand on this. Committee and audience questions were raised on why vehicle company license display on only new construction sites, definition of “remodel” and why the state would not be regulating. Dan Salts (audience) also indicated his concern if local AHJ’s and state not together more difficult to catch those in violation. Further questions were raised and discussion held concerning companies doing many different things and this industry handling some calls where no company display is desired. Bob Carroll recommended a change in wording to delete out the word “new construction” in the last statement and adding language concerning it being at the specific request of the customer. Rick Flanigan indicated recommendations can be made to the Commissioner to consider changes.

Ron Edwards raised a question concerning the striking of “company manager” in the proposed changes and feels it contradicts what the committee and industry wanted before. Rick Flanigan indicated the change was made after discussions with various entities, including OKBFAA, NESAA, and industry members. Mr. Flanigan further indicated the proposed change better reflects alignment with other trades and that administration in most companies with more than one office is handled through one main office, with operational managers at the other office(s). Committee comment was made if change is not made it will inhibit business growth.

Motion by Rick Flanigan to approve/deny recommendation of rules package as presented by the Oklahoma Department of Labor; motion seconded by James Perry.

Roll Call:

Aye: Bob Carroll, James Perry, Lisa Fields, and Rick Flanigan

Nay: Ronald Edwards, Charles Hudecek, Ed Humes, and Zeke Lay

Motion failed

Motion made by Bob Carroll to change Part 3(d) page 13 of proposed regulation changes to strike word “new construction” and add “Exception may be granted on temporary basis upon specific customer request.” The motion was seconded by Charles Hudecek.

Roll Call:

Aye: Bob Carroll, Ronald Edwards, Charles Hudecek, Ed Humes, James Perry, and Lisa Fields

Abstain: Rick Flanigan and Zeke Lay

Motion carried

Motion was made by Bob Carroll to recommend that the Commissioner of Labor proceed with the rules package including the change to Part 3(d); motion seconded by Rick Flanigan.

Roll Call:

Aye: Bob Carroll, James Perry, Lisa Fields, Rick Flanigan, and Zeke Lay

Nay: Ron Edwards, Charles Hudecek, and Ed Humes

Motion carried.

**Agenda Item 4:**

**Comment and discussion from the general public regarding matters specific to the A&LI. Limited to no more than 5 minutes per public member unless granted additional time by the Committee.**

Some concerns were raised by the audience that the proposed changes would not be of benefit to the industry or the public. Concerns were also raised about certain companies mass marketing. Zeke Lay indicated competition is not the problem; the issue is what would happen with mass false alarms and whether or not emergency personnel would dispatch. Rick Flanigan indicated wording concerning false alarms in the regulations has not changed.

A question was raised when the proposed rules package would be available for review. Rick Flanigan indicated once there is confirmation what was voted on would be taken to the State Capitol they could be posted on the website. A question was also raised when the regulation changes would go into effect. Don Schooler indicated would choose the effective date which would be July 1 or November 1.

James Snipes indicated he passed his technician exam but the company he was to work for did not get licensed. Rick Flanigan indicated that he would assist Mr Snipes after the meeting.

A question was raised where the test sites were and where pictures could be taken. Rick Flanigan indicated looking at remote sites to get photos taken. Bettye Finch, Director Department of Labor, confirmed a listing of test sites is on the website and two forms of ID will be required to test (drivers' license and Social Security card).

Steve Cleary inquired about the white tag issue discussed previously not being in the current proposed changes. Rick Flanigan indicated this issue is still under discussion.

**Agenda Item 5:**

**Next meeting date January 2, 2013**

**Agenda Item 6:**

**Adjournment**

Motion to adjourn made by Lisa Fields; motion seconded by Bob Carroll

Roll Call:

Aye: Bob Carroll, Ronald Edwards, Charles Hudecek, Ed Humes, James Perry, Lisa Fields, Rick Flanigan, and Zeke Lay

The motion carried