

STATE OF TENNESSEE  
ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD

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QUARTERLY MEETING OF THE  
STATE OF TENNESSEE  
ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD

December 5, 2023

ORIGINAL

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CASSANDRA M. BEILING, LCR# 371  
STONE & GEORGE COURT REPORTING  
2020 Fieldstone Parkway  
Suite 900 - PMB 234  
Franklin, Tennessee 37069  
615.268.1244

1 APPEARANCES:  
Robbie Fox, Chairman  
2 Fixed Amusement Device Representative

3 David Hale, Board Member  
Tennessee Fair Association Representative  
4

5 James Roy Pope, Board Member  
Traveling Amusement Device Representative

6 Larry R. Moore, II, Board Member  
Owner and Lessees Representative  
7

8 Kelly O'Connor, Board Member (not present)  
Public-at-Large Representative

9 Mitch Rader, Board Member  
Insurance Company Representative  
10

11 Victor LaPorte, Board Member  
Manufacturer Representative

12 Dewayne Scott, Deputy Commissioner  
Tennessee Department of Labor  
13

14 Tom Herrod, Assistant Commissioner  
Tennessee Department of Labor

15 Kenneth Nealy, Assistant Administrator  
Tennessee Department of Labor  
16

17 Dan Bailey, Legal Counsel  
Tennessee Department of Labor

18 Melissa Owens, Deputy General Counsel  
Tennessee Department of Labor  
19

20 James "Otis" Steele, Chief Elevator Inspector  
Tennessee Department of Labor

21 Mike H. Hardy, Amusement Device Manager  
Tennessee Department of Labor  
22

23 Lance Scott, Assistant Chief Elevator Inspector  
Tennessee Department of Labor

24 Jennifer Murphy, Board Secretary  
Tennessee Department of Labor  
25

1 Appearances continued:

2 Jamie Diefenbach, Executive Admin Assistant  
Tennessee Department of Labor

3 Michael Batstone, Administrative Supervisor  
4 Elevator Unit, Tennessee Department of Labor

5 Michelle Rosemore, Legal Assistant  
Tennessee Department of Labor

6

7 Stone & George Court Reporting  
Cassandra Beiling, Court Reporter

8

9 Also Present:

10 Fred D. (Tony) Thompson, II, Esq.

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25 \*Reporter's Note: All names are phonetically  
spelled unless otherwise provided to the Reporter.

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A G E N D A

- I. Call Meeting to Order
- II. Pledge of Allegiance
- III. Introductions and Announcements
- IV. Adoption of Agenda
- V. Approval of the September 6, 2023 Minutes
- VI. Elevator Unit's Report
- VII. Amusement Device Unit's Report
- VIII. Old Business
  - \*None
- IX. New Business
  - \*Eastman Chemical Company
    - Larry Moore
  - \*K&S Southern Midways
    - Penalty Order Appeal \$3,000
- X. Open Discussion Items:
  - \*None
- XI. Calendar-Scheduled Board Meetings 2024
  - March 5, 2024 9:00 a.m. CST
  - June 4, 2024 9:00 a.m. CDT (if needed)
  - September 4, 2024 9:00 a.m. CDT
  - December 3, 2024 9:00 a.m. CST (if needed)
- XII. Adjournment

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I N D E X

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Elevator Unit's Report	11
Amusement Device Unit's Report	13
New Business:	
* Eastman Chemical Company	16
	*Vote 23
* K&S Southern Midways - Penalty Order Appeal	24
	*Vote N/A

1 \* \* \* \* \*

2 CHAIRMAN FOX: We'll go ahead  
3 and call the December 5th, 2023 Elevator and  
4 Amusement Device Safety Board to order.

5 Could I ask you to stand? We'll do  
6 the Pledge.

7 Mr. Hardy, would you lead us in the  
8 Pledge, please?

9 MR. HARDY: Yes, sir.

10 (Whereupon, the Pledge of Allegiance  
11 was recited.)

12 CHAIRMAN FOX: Thank you.  
13 Please be seated.

14 Okay. If we could start with the  
15 introductions. And I missed this lady at the last  
16 meeting, so we're going to start with her. We're  
17 going to put her on the spot, and then we'll go  
18 around the back and then come back to you, ma'am.  
19 So if you'll start.

20 MS. DIEFENBACH: Jamie  
21 Diefenbach, Executive Admin Assistant, WRC.

22 MR. HALE: David Hale --  
23 you're going over that way?

24 CHAIRMAN FOX: Jamie works for  
25 you. You're good.

1 MR. HALE: No. I'm sorry,  
2 boss. Go ahead.

3 MR. BATSTONE: Mike Batstone.  
4 I'm the Administrative Supervisor for the Elevator  
5 Unit.

6 MS. ROSEMORE: Michelle  
7 Rosemore. I'm the legal assistant to Melissa  
8 Owens.

9 MR. SCOTT: Lance Scott,  
10 Assistant Chief Elevator Inspector.

11 CHAIRMAN FOX: And you, sir?

12 MR. THOMPSON: Oh, I'm sorry.  
13 I'm Tony Thompson. I'm an attorney and lobbyist  
14 here in Tennessee, and one of my clients is an  
15 organization of the elevator industry, and I'm  
16 learning about it and I might make a comment or  
17 two when you have a minute at the end of the  
18 shift.

19 CHAIRMAN FOX: Okay.

20 THE REPORTER: Cassandra  
21 Beiling, Stone & George Court Reporting.

22 CHAIRMAN FOX: All right.

23 MS. OWENS: Melissa Owens,  
24 Deputy General Counsel.

25 MR. BAILEY: Dan Bailey, legal

1 counsel.

2 MR. HERROD: Tom Herrod,  
3 Assistant Commissioner.

4 MR. SCOTT: Dewayne Scott,  
5 Deputy Commissioner.

6 MR. NEALY: Kenneth Nealy,  
7 Assistant Administrator.

8 MR. STEELE: Otis Steele,  
9 Chief Elevator Inspector.

10 MR. HARDY: Mike Hardy,  
11 Amusement Device Unit Manager.

12 MS. MURPHY: Jennifer Murphy,  
13 board secretary.

14 MR. LaPORTE: Vic LaPorte,  
15 board member.

16 MR. RADER: Mitch Rader, board  
17 member.

18 CHAIRMAN FOX: Robbie Fox,  
19 board member.

20 MR. MOORE: Larry Moore, board  
21 member.

22 MR. POPE: James Roy Pope,  
23 board member.

24 MR. HALE: David Hale, board  
25 member.



1 CHAIRMAN FOX: Good deal.

2 I just want to welcome everybody and  
3 thank you for being here today.

4 Are there any announcements,  
5 Mr. Herrod, that we're supposed to do?

6 MR. HERROD: Yes,  
7 Mr. Chairman. I want us to recognize Mr. Dan  
8 Bailey. He's been with the State 20 years, and  
9 he's retiring and he's putting down his legal pad,  
10 picking up a pickleball paddle, and heading to  
11 Florida. And I don't know what he's going to do  
12 after that first month. I think he'll get tired  
13 of being unemployed, but he's always got a place  
14 here at the Department of Labor. So we appreciate  
15 his contribution. We've got a card.

16 The new Mercedes parked outside is  
17 for you. So congratulations.

18 MR. BAILEY: I've enjoyed  
19 being counsel for this board for the last -- I  
20 don't know how many years. It's been a while.  
21 And we've been through a lot of things. But  
22 you-all do good work, and I just encourage you to  
23 keep doing good work. Thank you.

24 CHAIRMAN FOX: Thank you.  
25 You've kept us straight all these years.

1 MR. BAILEY: I've tried.

2 CHAIRMAN FOX: Okay. We  
3 have -- I would entertain a motion to adopt the  
4 agenda.

5 MR. POPE: Motion.

6 MR. RADER: Second.

7 CHAIRMAN FOX: We have a  
8 motion and a second. Any discussion?

9 (No verbal response.)

10 CHAIRMAN FOX: All in favor of  
11 the motion, let it be known by saying, "aye."

12 (Affirmative response.)

13 CHAIRMAN FOX: All opposed,  
14 like sign.

15 (No verbal response.)

16 CHAIRMAN FOX: Motion carries.  
17 You didn't need us to do a roll call  
18 on that one, did you?

19 THE REPORTER: No.

20 CHAIRMAN FOX: Okay. Good.

21 All right. I would entertain a  
22 motion to approve the September 6, 2023 minutes.

23 MR. RADER: I make a motion we  
24 approve the September 6, 2023 minutes, meeting.

25 MR. HALE: Second.

1 CHAIRMAN FOX: We have a  
2 motion and a second. Any discussion?

3 (No verbal response.)

4 CHAIRMAN FOX: Hearing none,  
5 all in favor of the motion, let it be known by  
6 saying, "aye."

7 (Affirmative response.)

8 CHAIRMAN FOX: All opposed,  
9 like sign.

10 (No verbal response.)

11 CHAIRMAN FOX: Motion carries.  
12 Mr. Steele, I believe you're up, sir.

13 MR. STEELE: This chart shows  
14 the Elevator Unit today. We have filled all of  
15 our vacant positions. We have 30 total inspectors  
16 to date: 3 in West Tennessee, 16 in Middle, and  
17 11 in East. For a total of 16,580 conveyances  
18 across the state.

19 We are looking to fill one extra  
20 position. We're going to have a State-sponsored  
21 apprentice position as soon as we can get it  
22 posted. We're searching for a qualified candidate  
23 at the moment, but that's something that we're  
24 looking forward to doing.

25 Notable growth. The majority of the

1 growth is in Davidson County. Since the last  
2 board meeting, we've had 191 new construction  
3 conveyances across the state. Davidson is the  
4 heavy one. Sumner, Hamilton, Rutherford, they're  
5 all -- Sevier County has got 18. So there's some  
6 growth all across the state, but the majority of  
7 it is in Middle Tennessee.

8                   Since 2020, we've had a steady  
9 increase over the years. Since '20, we've had  
10 1,494 additional conveyances added to our  
11 department that we inspect.

12                   The delinquents across the state,  
13 there's 10 in the West Tennessee category, 87 in  
14 Middle, and 37 in the East. Most of those are due  
15 to positions that were not filled, that have been  
16 filled now. I expect those to go way down,  
17 probably below half a percent, by February when  
18 the routes get ironed back out where we've got  
19 some heavy spots where people thin out. But I  
20 think we're going to be in really good shape.

21                   This shows our 52-week delinquent  
22 rate chart there. It's kind of leveled off there.  
23 We had a peak there at 26 weeks, but we've been  
24 able to maintain it with some overtime and some  
25 additional employees.

1                   And that's the Elevator Unit. Do you  
2 have any questions for me?

3                   CHAIRMAN FOX: Any questions?

4                   MR. LaPORTE: One quick  
5 question. When is the last time you've been fully  
6 staffed with inspectors?

7                   MR. STEELE: Not since I've  
8 been here.

9                   MR. LaPORTE: I don't think  
10 since I've been on this board. That's exciting.  
11 That's great.

12                   CHAIRMAN FOX: Okay.  
13 Mr. Hardy?

14                   MR. HARDY: Thank you.

15                   We issued a record number of  
16 operating permits in Fiscal Year '23 at 493  
17 permits issued. That green bar is our benchmark  
18 for this year. And we currently have issued 178  
19 operating permits through Week 21.

20                   And I think, as we discussed before,  
21 this chart or graph will eventually bell curve,  
22 but you can see how COVID in the middle there has  
23 kind of upset that a little bit. So we're going  
24 for a secondary bell curve with our operating  
25 permits issued.

1           This is new operating permits issued.  
2 Again, this chart will bell curve. We're on our  
3 second bell curve here due to COVID. We don't  
4 have any idea how many new companies we'll permit  
5 this coming year. But last year, we were at 92  
6 new companies permitted, and we kept that goal as  
7 a benchmark for this coming year. So we'll see  
8 how that plays out for the remainder of the year.  
9 We have 38 new companies that have been permitted  
10 thus far this fiscal year.

11           Now, this is a new slide that we put  
12 in, in the September meeting. This is a snapshot  
13 of actual companies that are permitted as of today  
14 or as of Week 21. We currently have 509 companies  
15 that are operating and/or have the capability of  
16 operating with valid operating permits. So our  
17 goal is, there again, to maintain that number, at  
18 least 509. It fluctuates, you know, by week. But  
19 we haven't seen any drastic change on that since  
20 we started tracking it.

21           This is amusement devices inspected  
22 or registered by the Unit. And there's a direct  
23 correlation with this draft as our operating  
24 permits issued. You'll see the bell curve  
25 distortion for COVID. We had a record number of

1 4,563 inspections or devices registered in Fiscal  
2 Year '23. As of right now, again, through  
3 Week 21, we're at 1,541 devices inspected or  
4 registered. And we expect to at least meet or  
5 exceed those numbers we had in Fiscal Year '23.

6 We have not logged any reportable  
7 accidents thus far for the fiscal year. You know,  
8 depending on the outcome of the appeal that we'll  
9 hear later in the meeting, possibly we'll have  
10 one. But we'll save that for that discussion.

11 And then the final slide shows what,  
12 specifically, we had as a reportable accident in  
13 Fiscal Year '24.

14 We had two that were -- we had one  
15 mountain coaster, I'm sorry, and two zip line  
16 accidents in which we considered to be reportable  
17 in the last fiscal year.

18 A couple of things, a side note,  
19 three members of the Unit are going to attend AIMS  
20 conference this year in Orlando. That's required  
21 to get our educational credits, to maintain and --  
22 to retain our certifications through NAARSO, which  
23 the three of us have Inspector Level 1  
24 certifications and Operations Level 1.

25 We're working with Jamie on a new

1 database software system called Meraki. And  
2 actually, we have a meeting regarding that this  
3 afternoon, but we're going to phase that program  
4 in within this next year.

5 And we have recently revised -- we  
6 try to look at and revise our standard operating  
7 procedure each year, so we have recently made that  
8 revision. And pending approval, we'll start to  
9 adhere to the new standard operating procedure.

10 And that's all I have. But I would  
11 be happy to entertain any questions.

12 CHAIRMAN FOX: Any questions  
13 from the group?

14 MR. RADER: Good report.

15 CHAIRMAN FOX: Yes, sir.

16 Okay. No Old Business, so we'll move  
17 into New Business.

18 And the first item up will be Eastman  
19 Chemical Company. Mr. Larry Moore is going to  
20 address us.

21 MR. MOORE: Good morning,  
22 everyone.

23 Eastman Chemical Company is located  
24 in Kingsport, Tennessee, and employing roughly  
25 8,000 people in addition to several contractors.



1 Our company maintains its own security, its own  
2 fire department, its own medical, and its own  
3 elevator service technicians. We have nine of  
4 those with two on the current elevator and hoist  
5 apprenticeship, with expected five more over the  
6 next few years.

7 As Mr. Otis knows, we renovate some  
8 of those, and we're currently renovating  
9 additional elevators at the site. And we, at this  
10 point, have a new elevator, and I can't remember  
11 the number of floors on that.

12 Do you remember?

13 MR. STEELE: I don't remember.

14 MR. MOORE: The reason for  
15 this variance is none of the elevators inside our  
16 perimeter fence currently have fire service. All  
17 of the elevators on the exterior portion do  
18 because Kingsport City would respond to that.  
19 Inside the fence, Eastman Fire Department would  
20 respond to any of those. And none of them, 100  
21 and -- I think there's 140-some elevators inside  
22 that. None of those have fire service whatsoever.  
23 So it would require additional training.

24 We also have in our machine shop,  
25 which is located right across the street from our

1 fire hall, those personnel are trained to respond  
2 in the event of an emergency, and they go from  
3 machine shop to firefighters also.

4 What we're seeking is a variance for  
5 the requirement from fire service to be added to  
6 new elevators inside the fence.

7 Does that make sense, what I'm asking  
8 for?

9 CHAIRMAN FOX: Yes, sir.

10 MR. MOORE: Yes, sir.

11 CHAIRMAN FOX: How far away  
12 from the fence are the elevators located?

13 MR. MOORE: The newest one is  
14 400 yards, I think, from the fence.

15 CHAIRMAN FOX: Okay.

16 MR. MOORE: Just a rough  
17 guess, Robbie.

18 MR. POPE: Is there --

19 CHAIRMAN FOX: Go ahead.

20 MR. POPE: I'm sorry, sir.

21 Is there anybody else operating like  
22 that in the state at this time?

23 MR. MOORE: That, I don't  
24 know. I don't know.

25 MR. STEELE: Not that I'm

1 aware of.

2 MR. MOORE: We do have an  
3 existing variance for the existing elevators, but  
4 not for new that we built inside the fence.

5 MR. STEELE: They have had a  
6 variance since 2001 for existing elevators when  
7 A17.3 was adopted originally. They've had a  
8 variance that covers all of the existing elevators  
9 there.

10 Which I think the list that you gave  
11 me had about 104 or 5, something like that.

12 MR. MOORE: Yes.

13 MR. STEELE: So if the same  
14 people are responding to those elevators that's  
15 going to respond to this new elevator, I feel like  
16 it brings consistency for them if they all operate  
17 in the same manner. The ones outside the fence in  
18 Kingsport is going to respond to -- they're going  
19 to respond like everything else in the city of  
20 Kingsport. It makes both fire departments have  
21 the same response for the equipment in the case of  
22 an emergency.

23 MR. LaPORTE: As much as I  
24 probably would rather see a fire service, I've  
25 seen too many fire departments get confused with

1 different -- adoptions of different codes of fire  
2 service. So fire service can operate completely  
3 different inside of one site in several different  
4 ways. I do like the consistency. And if you're  
5 doing it internal, that makes sense.

6 Are these modernization or new  
7 installation?

8 MR. MOORE: This one is a new  
9 installation for the methanolysis plant.

10 MR. LaPORTE: Do you happen to  
11 know the rise. And the reason I ask is because  
12 previous years of code, there was --

13 What was the rise limit, Otis?  
14 125 feet, I believe?

15 MR. STEELE: On A17.3, when it  
16 was adopted, it's 70 feet, I believe, what was  
17 required.

18 MR. LaPORTE: It was at 175 at  
19 one point. So if you're under that -- this is all  
20 low rise to begin with.

21 MR. MOORE: Yes. I want to  
22 say it's five stories, but these are industrial  
23 stories, so they're 20, 30 feet between floors, or  
24 so.

25 MR. LaPORTE: So they're

1 likely over the minimum.

2 MR. STEELE: I think A17.1 is  
3 over 25 feet.

4 MR. LaPORTE: Well, I believe  
5 that's changed over the years, right?

6 MR. MOORE: Yes, sir.

7 MR. HALE: On the ones outside  
8 of the fence, do both departments respond to those  
9 emergencies?

10 MR. MOORE: Typically, it will  
11 be Kingsport City, although we will respond if --  
12 now, if someone is stuck on one of those  
13 elevators, my elevator team will respond to those,  
14 and they know, you know, what's on which one.  
15 Kingsport City responds typically outside of the  
16 fence. But inside the fence, it's only Eastman  
17 personnel.

18 MR. LaPORTE: So I have  
19 another question. Most firefighters, especially  
20 five stories or less, they're never going to use  
21 the elevators in a fire emergency.

22 MR. MOORE: No, sir.

23 MR. LaPORTE: The bigger  
24 concern I have is how do you train the other  
25 employees not to use the elevators in a fire?

1 MR. MOORE: We have annual  
2 training. It's all on the computer now. Because  
3 my learning lab, through my career -- every  
4 employee at the site, contractors and Eastman  
5 personnel, receive the same training on not to use  
6 the elevators in the event of a fire or other  
7 emergency.

8 MR. LaPORTE: I think  
9 that's -- for me, the bigger issue is not the  
10 firemen operating the elevators, but that the  
11 elevators automatically took themselves out of  
12 service to prevent other personnel from using  
13 them. But if done through consistent training,  
14 that's probably, in this case, sufficient.

15 MR. STEELE: It's a unique  
16 situation.

17 MR. LaPORTE: It's very  
18 unique, but with the internal fire department,  
19 it's sensible.

20 MR. HALE: I think the biggest  
21 thing is it makes it consistent, all of them  
22 operating exactly the same. So you're not trying  
23 to say, well, Elevator 62, you have to do this,  
24 but all the rest of them, you do something  
25 different. So I think the consistency of it, all

1 across the board, is valuable in an emergency  
2 situation, that everything operates the same.

3 MR. STEELE: I agree.

4 MR. HALE: And that's from  
5 42 years of being a firefighter.

6 MR. POPE: Mr. Steele, do you  
7 have a recommendation?

8 MR. STEELE: I recommend the  
9 variance be granted. I think it makes perfect  
10 sense to bring consistency to that location,  
11 people that's responding to it in an emergency  
12 situation, just like you said.

13 MR. HALE: I make a motion  
14 that we approve the variance.

15 MR. POPE: I second.

16 CHAIRMAN FOX: Have a motion  
17 and a second to approve the variance. Any  
18 discussion?

19 (No verbal response.)

20 CHAIRMAN FOX: Hearing none,  
21 all in favor of the motion, let it be known by  
22 saying, "aye."

23 (Affirmative response.)

24 CHAIRMAN FOX: All opposed,  
25 like sign.

1 (No verbal response.)

2 CHAIRMAN FOX: Again, do we  
3 need to do a roll call on that, ma'am?

4 THE REPORTER: No, sir.

5 CHAIRMAN FOX: Okay. Good  
6 deal.

7 MR. MOORE: Thank you, all.

8 CHAIRMAN FOX: Thank you.

9 We have K&S Southern Midways on a  
10 penalty order appeal. Is there anyone here to  
11 represent them?

12 MR. HARDY: Chairman?

13 CHAIRMAN FOX: Yes, sir.

14 MR. HARDY: I've got an  
15 overview. There's one in your booklets. If you  
16 would like for us to go over that, we can do that  
17 to inform the Board. But with the absence of any  
18 kind of representation from K&S Southern Midways,  
19 we'll proceed with the collection of the penalty.

20 CHAIRMAN FOX: What is the  
21 pleasure of the Board? Do we want to go over  
22 this, or do you want to just allow them to move  
23 forward?

24 MR. POPE: Can you tell us  
25 what happened?



1 MR. HARDY: Yeah. I'd be  
2 happy to.

3 On the 15th of September, we were  
4 made aware of an accident involving K&S Southern  
5 Midways' Tubs of Fun device. The accident  
6 occurred on or around September 7th. We advised  
7 the company. Then on September 18th, we received  
8 an online accident report from K&S Southern  
9 Midways indicating that a patron did, in fact,  
10 sustain an arm injury and was immediately  
11 transported to an off-site medical facility for  
12 treatment.

13 On the 20th, we received written  
14 correspondence from the City of Martin with  
15 specifics regarding the September 7th accident.

16 Also on the 20th, the Amusement  
17 Device Unit composed and sent the penalty order.  
18 And the order, as you're aware, consists of a \$300  
19 per day penalty for failure to report an amusement  
20 device accident, and this would go from  
21 September 9th to September 18th, encompassing  
22 10 days. At \$300, would be \$3,000.

23 Also on the 20th, I advised K&S  
24 Southern Midways that the State would require a  
25 postaccident inspection report for this device

1 prior to any future operations in Tennessee, prior  
2 to the expiration date of their permit, which is  
3 August 31st of 2024.

4           And on the 24th of September, a  
5 representative with K&S Southern Midways,  
6 Ms. Kathryn Deshler, she advised that they would  
7 be represented for appealing the penalty order  
8 during this board meeting. And we have reached  
9 out to them within the last week or so and we  
10 received the same response, that they would be  
11 here today.

12           And that's all I have to report, but  
13 I would be happy to answer your questions.

14           CHAIRMAN FOX: Any questions  
15 from the Board?

16           (No verbal response.)

17           CHAIRMAN FOX: I think they've  
18 made the decision for us.

19           MR. HARDY: We'll proceed with  
20 our collection process on this one.

21           CHAIRMAN FOX: Okay. Thank  
22 you very much.

23           Anything for Open Discussion?

24           (No verbal response.)

25           CHAIRMAN FOX: Okay. Moving

1 right along to the calendar, we have our next  
2 meetings scheduled for March 5th, '24; June 4th,  
3 '24; September the 4th, '24; and December the 3rd  
4 of '24.

5 Are there any conflicts that we need  
6 to address at this time?

7 (No verbal response.)

8 CHAIRMAN FOX: Okay. Do I  
9 have a motion for adjournment?

10 MR. RADER: So moved.

11 CHAIRMAN FOX: Second?

12 MR. POPE: Second.

13 MR. HERROD: We've got a  
14 gentleman here that said --

15 CHAIRMAN FOX: I'm sorry.  
16 Sir?

17 MR. THOMPSON: Thank you,  
18 Commissioner.

19 Good morning. My name is Tony  
20 Thompson. I appreciate you giving me a couple of  
21 minutes. I won't take but a minute because I  
22 don't want to have to answer any questions.

23 The reason I'm here is, like I said,  
24 I'm an attorney and lobbyist here in Tennessee.  
25 I've been doing this for 30 years come January.

1 It will be my 30th legislative session. I'm a  
2 contract lobbyist, and I represent a wide variety  
3 of clients.

4 I've been approached and retained by  
5 an organization in the elevator industry, the  
6 Elevator Industry Workers Preservation Fund, which  
7 is a consortium of all the companies that are  
8 represented and other groups in the elevator  
9 industry, and they would like to take a stab at a  
10 licensing bill.

11 And I know, Commissioner Herrod, you  
12 have a little bit of awareness of this.

13 I met with Tia and Matthew Grove back  
14 in June. I talked with them about it, and I know  
15 it's a little late in the process. I wasn't  
16 meeting with them to ask them to make this an  
17 administration department bill kind of thing. I  
18 wasn't meeting with Tia there. But just to make  
19 aware and hopefully get some support or at least  
20 neutrality on the issues.

21 I don't pretend to understand the  
22 elevator industry. My expertise is in the people  
23 and the process over in the legislature. So I'm  
24 kind of one of those jack of all trades, master of  
25 none.

1           But it's a licensing bill that will  
2 deal with the issue of mechanics and ensuring they  
3 are properly trained and that sort of thing. My  
4 understanding is that 39 states have already done  
5 this. I know this has been attempted. I looked  
6 back in Tennessee some years ago with no success.  
7 And I think all states surrounding Tennessee have  
8 a law in place. And of those states, my  
9 understanding is the laws are -- they vary  
10 greatly.

11           And so I have no idea what the final  
12 product would be, but I wanted to just come here  
13 and be -- you know, have the light shined on me  
14 and say, hey, I'm going to be working on this.

15           And you've got my contact  
16 information. I'd love to sit down with any or all  
17 of you at some point as this kind of goes along  
18 and develops. You know, I'm in the drafting stage  
19 right now and I've got to -- there will be some  
20 back and forth there. But, you know, my intention  
21 is to have some legislation introduced in January,  
22 and we'll see what happens.

23           And the gentleman here from Eastman that  
24 was here, I know that companies like that that  
25 handle their own things, that they'll be exempt

1 from this thing. So there will be a lot of things  
2 that we're going to try to do to accommodate  
3 concerns in the industry as we go forward.

4 And again, I really can't answer many  
5 questions about that, about the bill itself until  
6 it's developed. But I just wanted to come here  
7 and introduce myself, basically.

8 So I apologize that I haven't been able  
9 to get to you individually. I know Vic and I met  
10 some time ago. But thank you for a couple of  
11 minutes this morning.

12 CHAIRMAN FOX: Thank you, sir.

13 Anything else for the good of the  
14 order?

15 (No verbal response.)

16 CHAIRMAN FOX: Do I have a  
17 motion for adjournment?

18 MR. LaPORTE: So moved.

19 CHAIRMAN FOX: We are  
20 adjourned.

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22 END OF PROCEEDINGS.

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C E R T I F I C A T E

STATE OF TENNESSEE )

COUNTY OF WILLIAMSON )

I, Cassandra M. Beiling, a Notary Public  
in the State of Tennessee, do hereby certify:

That the within is a true and accurate  
transcript of the Prevailing Wage Commission  
Meeting taken on the 5th day of December, 2023.

I further certify that I am not related to  
any of the parties to this action, by blood or  
marriage, and that I am in no way interested in  
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my  
hand this 14th day of December, 2023.



-----  
Cassandra M. Beiling, DCR# 371  
Notary Public State at Large  
My commission expires: 3/10/2024