



**STATE BOARD OF PLUMBING
BUSINESS MEETING
MINUTES**

Date: March 16, 2023
Time: 10:30 a.m.
Location: Held via Video Conference
meet.google.com/qks-niad-yfo
By Phone via Teleconference
1-414-909-7588 (PIN: 385820141)

Members Present:

Joseph Radtka, Chairman
Gregory Schott, Industry Member
Michael Bowersox, Industry Member
Roland Mann Jr., Industry Member
Keith Horton, Industry Member

Absent: Richard Bowers, Consumer Member
Richard Small, Industry Member

LABOR Officials & Staff Present:

Sloane Fried Kinstler, Assistant Attorney General
LaKisha Thornton, Administrative Officer I
Johnston Brown, Administrative Specialist III

OTHERS PRESENT:

Wayne Fishpaw, Pipe Trades Technology
Diane Kastner,
Kirk Sweeny, Atlantic Blue Water
Jesse Fields, Mid-Atlantic Pipe Trades Association

CALL TO ORDER

Chair Joseph Radtka called the Business Meeting of the Maryland State Board of Plumbing to order, virtually, at 10:37 a.m.

APPROVAL OF MINUTES

Chairman Radtka asked that a Board member move to approve the minutes of the February 16, 2023, Board Meeting.

A motion was made to approve the minutes of the February 16, 2023, Board meeting without corrections, by Mr. Bowersox, seconded by Mr. Mann, and by roll call, carried unanimously by the Board.

PLUMBING COMPLAINTS

Mr. Schott reported the findings of the Complaint Committee as follows:

<u>Closed Complaint</u>	<u>Under Investigation</u>	<u>Sent for A.G. Pre-Charge</u>	<u>Criminally Charged</u>
23-0007		23-0008	

Upon a Motion by Mr. Bowersox, and a second by Mr. Mann, the Board voted unanimously, by a roll call vote, to approve the Complaint Committee’s report.

REVIEW OF EXAMINATION STATISTICS AND LICENSE TOTALS

PSI Exams submitted the following statistical summaries for February 2023:

Plumber	Candidates Tested	Passed	Failed	Pass %
Journey Natural Gas Fitter	7	3	4	43%
Journey Plumber/Gas Fitter	33	13	20	39%
Master Natural Gas Fitter	1	0	1	0%
Master Plumber/Gas Fitter	16	6	10	38%
TOTAL	57	22	35	39%

Director Bull also reported that since January 2023, 104 candidates were tested, 38 candidates passed, 66 failed, for a pass rate of 37%. Since the inception of the test, 10488 candidates were tested, 3786 candidates passed, 6702 failed, for a pass rate of 36%. There are currently 13,265 active licensees.

CORRESPONDENCE

Chairman Radtka stated that the Board had received correspondence from Kruger Training Academy regarding their request for consideration of alternate backflow instructor certifications programs. Counsel stated that the matter should be discussed under new business in Director Bull’s absence.

There was no other correspondence.

EXECUTIVE DIRECTOR'S RERORT

In Director Bull's absence Chairman Radtka read the following statement on his behalf:

“At this time I have not heard when Mr. Bowersox and Mr. Mann will be sent before the Senate for reappointment. I have only been told that the reappointments will happen in the near future.”

COUNSEL'S REPORT

Counsel did not offer a report.

CHAIR'S REPORT

OLD BUSINESS

Chairman Radtka reintroduced that discussion regarding Kruger Training Academy's request that the Board consider approving alternate backflow instructor certification programs. Chairman Radtka stated that Director Bull reached out to TREEO requesting a meeting to review their current backflow certification program and that TREEO, thus far, had been unable to schedule a meeting. TREEO did respond to the request to schedule the meeting stating that their current instructor certification program was being restructured to allow TREEO to have more oversight in the management of their program. They explained that the restructuring process would allow them to have more control over the materials candidates would be tested on, and ultimately ensure more qualified instructors. The Board question whether current instructors would be able to maintain their certifications, to which TREEO assured the Board that they would. Chairman Radtka informed the Board that TREEO would be sending Director Bull and email regarding the changes to the program within the next two weeks and that Director Bull would provide updates to the Board at the next meeting. The Board asked Chairman Radtka if the new program would have all course materials be approved by TREEO before being presented by an approved backflow/cross connection provider and if the instructors certified under the new program would be allowed to teach the course. Chairman Radtka confirmed that TREEO stated that both of those things would be required/allowed. Counsel Kinstler informed that Board that more information may have been received by Director Bull but in his absence that fact could not be confirmed. She suggested that Director Bull send that information to the Board for review and discussion at a future Board meeting. Mr. Kruger agreed that when he received new information regarding alternate training programs that he would convey that information to the Board for review.

Chairman Radtka reminded the Board that at the February meeting the Board voted to have Director Bull draft a letter to be sent to MDE regarding the passage of SB 0007. He stated that Director Bull had drafted a letter to be presented to MDE by the Secretary of Labor, Portia Wu, and asked that the Board take a vote to approve that action. A motion to present the letter to MDE was made by Mr. Bowersox. Counsel Kinstler clarified that issue at hand regarding the motion by stating that the letter that had been drafted was not requesting any action by MDE and was merely stating the Board and Labor's opposition to the statue. She reminded that Board that the vote taken at the February meeting allowed Director Bull to reach out to MDE requesting information. Counsel then requested that Chairman Radtka read Director Bull's statement to the Board regarding his contact the MDE. Chairman Radtka read the following:

“Looking into the regulations it appears the licensing requirements will be implemented by regulation with MDE pertaining to who must pay the fee. I have not been able to make headway with speaking with someone about the fee.

According to my research MDE is still writing the regulations pertaining to the Wastewater Board and the license and fee requirements. It appears the Professional Engineers Board has made some headway in asking they not be required to be licensed. The Board could write a letter to MDE asking that licensed Maryland Plumbers be exempt from the license and fee based on their current training and the fact it is part of their current occupations for which you already have a license. I would suggest that as Board Chairman Mr. Radtka write the letter as he has also authored the letter of opposition to SB-0007.

Defeating SB-0007 will not remove the \$150 fee as that was previously approved. Dealing with MDE as they draft the regulations may be the better route in eliminating the fee.”

After reading Director Bull’s statement the Board discussed sending correspondence to MDE regarding an exemption from the \$150.00 fee requirement for licensed plumbers in Maryland. Counsel Kinstler suggested that the Board vote to allow Secretary Wu to deliver the letter of opposition on the Board’s behalf and that further discussion on the issue be placed on the April agenda regarding any direct correspondence to MDE from the Board. Mr. Bowersox revised his motion to allow Secretary Wu to present the letter of opposition as opposed to the letter being sent by the Board directly. The motion was seconded by Mr. Schott, and unanimously approved by the Board.

Chairman Radtka recommended that a letter requesting an exemption from the \$150.00 registration fee be provided to all licensed plumbers in the state of Maryland. The Board question whether the letter should include a provision the exempt plumbers licensed with Baltimore County and WSSC as well. It was agreed that licensees in those jurisdictions should be included in the proposed letter. Chairman Radtka asked that a motion be made to allow a letter to be drafted requesting an exemption by MDE from the \$150.00 registration fee for plumbers who are licensed in the state of Maryland, regardless of jurisdiction. A motion to draft the letter was made by Mr. Bowersox, seconded by Mr. Schott and unanimously carried by the Board.

There was no other Old Business.

NEW BUSINESS

Chairman Radtka stated that he had been made aware of a new product available to consumers called “Fire Advert”. He stated that the product was designed to shut off the gas valve to a stove in the event of a fire. He stated that the product installation instructions did not require the assistance of a licensed plumber or gas fitter and expressed concerns for the public’s safety. He stated that he would gather more information on the product to be presented to the Board at the April meeting.

Counsel Kinstler asked Chairman Radtka if he wished to proceed with a discussion on the adoption of the new plumbing code. Chairman Radtka replied stating that the Board must await the adoption of the Building and Energy codes before it could update and adopt the new plumbing code.

There was no other new business.

CLOSED SESSION

The Board did not convene in a closed session.

ADJOURNMENT

Upon Mr. Bowersox's Motion, and Mr. Mann's second, and by a roll call vote, the Board unanimously voted to adjourn meeting at 11:09 a.m.

Signature on File

4/20/2023

John Bull
Executive Director

Date

Signed on behalf of the Board as voted and approved on 4/20/2023