

**Plumbing Board's Licensing & Registration Committee
Meeting Minutes
August 19, 2008 - Minnesota Room
Department of Labor and Industry (DLI)
443 Lafayette Road No., Saint Paul, MN 55155-4344
DLI.CCLDBOARDS@State.MN.US**

Members Present:

Jim Gander
Paul Sullwold
John A. Parizek
Rebecca L. Ames
Karl Abrahamson

Staff Present:

Jim Peterson
Annette Trnka
Cathy Tran
Charles Olson
Brad Jenson

Members Absent:

None

Visitors:

Andy Schouweiler
Carl Crimmins

Members Present:

None

I. Call To Order

The meeting was called to order by Committee Chair Gander at 9:35 a.m. and introductions were made. Parizek stated that Abrahamson had been appointed and is a Licensing and Registration Committee member.

II. Approval of Meeting Agenda

Sullwold made a motion, seconded by Abrahamson to accept the Agenda. The vote was unanimous and the motion passed.

III. Regular Business

Parizek made a motion, seconded by Ames to accept the May 7, 2008 meeting Minutes. The vote was unanimous and the motion passed.

IV. Special Business

- A. Review of Committee Responsibilities and Duties – It was clarified that the Licensing & Registration Committee is an Ad hoc committee that will probably sunset sometime during the fall.
- B. Proposed Language of Licensure Rules – Draft by Wendy Legge. Wendy reviewed the proposed licensing language draft that had earlier been submitted to the Board members. Discussion of the draft followed, including minor changes. Parizek made a motion, seconded by Sullwold, to move the licensing language draft forward to the Board with the recommendation to approve. The vote was unanimous and the motion passed.
- C. Exams and Examination Process – Parizek thought it would be of benefit to discuss the outline of the exam with the Board. Peterson stated that he would welcome Board members' input regarding the examination process.
- D. Continuing Education – Gander feels continuing education requirements are necessary in the plumbing trade. Legge stated that one option the Board has would be to recommend to the Commissioner to adopt rules on continuing education and suggest the Commissioner appoint the Board as an advisory committee to the Commissioner on those rules. The Board also has the choice of pursuing a change in legislation. Sullwold made a motion, seconded by Parizek, to recommend to the Board that the Board work with the Commissioner to draft rules that would require continuing education for journeymen, master plumbers and back-flow testers, with the recommendation of eight hours for journeymen, twelve hours for master plumbers and four hours for back-flow testers of continuing education over a twenty-four month period. The vote was unanimous and the motion passed.
- E. Discussion of Med Gas Certification – Legge recommended that since the Board has no jurisdiction over medical gas, it would have to be proposed in a legislative session. Parizek made a motion to refer to the Board that the Board determine how to move this issue forward, seconded by Ames. The vote was unanimous and the motion passed.

The meeting took a break at 11:05 and reconvened at 11:20.

- F. Discussion on Current License and Plan Review Fees – Jim Peterson got a request from the financial office for his department to review fees to see if the exam fees and licensing fees are covering the costs of the program. Peterson states that, to his knowledge, the fees are covering everything without overages.
- G. 4715.2161: Individuals who pass a certified RPZ Training Class should be allowed to repair and rebuild without a Plumbing License. (File PB0032 /0 5/13/08) Referral from Product and Code Review Committee by Board. Gander opened the discussion to the Committee, then staff, then public. Parizek reviewed what the PCRC's referral was to the Licensing Committee. Individuals who are not licensed plumbers are being taught to repair RPZ units. The question is why individuals who are not licensed plumbers allowed to take the certification course, when they don't have the authority to repair or test them.

Sullwold stated that there are several things that come into play when repairing and rebuilding these units. Anyone who is not licensed would not be able to pull a bond or a permit for repair of these units, which would preclude anyone from doing these repairs or rebuilds. Sullwold stated he would not be in favor to allow any unlicensed individual to rebuild or repair these units. He spoke of cross connection danger and contamination of water. Abrahamson stated that as time goes by the knowledge gained by the RPZ training classes could be lost, which is why continuing education is so important, but when you are opening the potable water system, you need more than knowledge of the RPZ, you need to have a background on the plumbing system as a whole. Sullwold stated that before certifying that a unit is rebuilt, a licensed plumber would be less likely to put his license in jeopardy by a false certification. Ames stated that a licensed plumber can install it, but you have to have the certification in order to test it. Legge stated that she doesn't feel that the Board or this Committee has authority over this issue, as statute states that plumbing work is required to be done by a licensed plumber and she doesn't believe that a rule can legally be created. The Board can define what is plumbing and if a task is plumbing, you need a license, not certification. It should be determined whether replacing or rebuilding an RPZ is plumbing work.

Andy Schouweiler then spoke to the Committee. He stated that rules should be conformed to current standards. He states that the city of St. Paul requires a permit only if a new one is being installed or is being replaced. There is no permit required for testing. Abrahamson stated there is a filing fee for replacement or testing. Mr. Schouweiler stated that his training course required 37 hours of training, and yet he can't replace, rebuild or test. A licensed plumber opens it up, replaces the O ring but it still has to test, and it can only be tested by a certified tester. He states that he can go to a town of less than 5,000 people and do the work, but is restricted by population over 5,000. He feels that because he has the training, he should be allowed to do the work even though he's not licensed. Gander stated that he feels Mr. Schouweiler is probably qualified to repair the parts however; the responsibility is to make sure that all work being done is done by those that are qualified.

Gander stated that repair or replacement of an RPZ is repair of a plumbing appurtenance, therefore the code requires that the party doing that repair or replacement be licensed. Mr. Schouweiler asked if that could be changed. Legge stated that the change can only be done by the legislature, because it's in statute on who can do plumbing work, which can only be done with a plumbing license. Schouweiler stated he would like this Committee to make a recommendation to the Board of whether the recommendation should be made to legislature. Parizek stated that perhaps it would be better that only licensed plumbers can do replacements or repairs and that there be a separate class for certified testers.

Parizek made a motion, seconded by Sullwold, to make a recommendation to refer back to the Board that this issue is outside the jurisdiction of the Board and

recommended to the Submitter that any action should be pursued through legislative means. The vote was unanimous and the motion passed.

V. Committee Discussion

Parizek wanted to make the point that he felt it is confusing for anyone taking the RPZ certification training. He felt it would be worthwhile to see if a course could be made that separates the rebuilding and repair of an RPZ unit for licensed plumbers only, and have a separate course for RPZ testing certification. Gander stated that his recollection from having taken this course was that it was made clear that only a licensed plumber could make repairs or replace an RPZ; however it was good information to have the knowledge of how to repair and/or replace them.

VI. Open Forum

There were no other requests for Open Forum.

X. Announcements

- A) Next Regularly Scheduled Meetings:
- i. No meetings are scheduled at this time.

XI. Adjournment

A motion to adjourn was made by Parizek, seconded by Sullwold. The vote was unanimous and the meeting adjourned at 11:49 a.m.

Respectfully Submitted,

Jim Gander

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