

**Plumbing and Mechanical Systems Board Meeting
Tuesday, February 16, 2010, at 9:00 a.m.**

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Board Members Present: Stuart Crine, Brita Van Horne, Susan Salsman, Thomas Day, Mick Gage, Chuck Thomas, Jane Hagedorn, Ron Masters and Ken Sharp.

Board Members Absent: Carol Crane and Dennis Molden

Staff Attending: Cindy Houlson, Matt Oetker and Mary Swinehart

Call to Order: Ron Masters called meeting to order at 9:00 a.m.

Approval of Minutes

The minutes from January 19, 2010 were reviewed and approved with changes.

Motion: Jane Hagedorn made motion to approve minutes with changes.

Seconded: Tom Day seconded

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

Committee Reports and Recommendations for Actions

Administrative Rules Committee Sue Salsman Chair

Sue reported that this committee is working on the practice chapter which is the encompassing language of what should go on in the field, such as tying one master to one contractor and having license in proximity of licensee on a job site.

Application and Fees Committee Jane Hagedorn, committee chair

Jane reported that this committee has been reviewing changes necessary in the applications for license renewal including deleting all the waiver language and try to make it easier for a licensee to apply for the appropriate licenses. We are also addressing fees for multiple licenses.

CEU Committee Jane Hagedorn, committee chair

Jane reported that this committee continues the process of reviewing instructors and courses for CEUs. The committee has approved 82 instructors, 68 courses and 1 e-learning course. There are 45 applications pending additional information.

The committee has compiled criteria for approving instructors and courses.

This committee continues reviewing Chapter 30 and changes within the chapter due to specialty licenses and some other issues from the last legislation.

Plumbing Code Committee Tom Day, committee chair

Tom reported this committee has requested suggestions from industry partners for amendments for the UPC 2009 code. This committee will be meeting to decide which amendments to put with the 2009 UPC Code. This committee may be presenting a recommendation to the board next month, depending on our progress.

Testing and Credentials Committee Chuck Thomas, committee chair

Chuck reported the exams are available. Application is available online, can be downloaded and complete. Applications are hard copy at this point.

Prometric will not allow any loose-leaf reference materials into the exam.

Some issues at last meeting have been resolved. The Architectural Sheet Metal Manual and Duct Construction Manual were listed as a reference book. Prometric indicated there were no test questions

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based on these manuals, so that references were removed. One other change was made as there are no questions from the Manual on Load Calculations for the journey exam, there are questions for the master. All questions come from the code book. Any generation of the UPC can be used, but be aware test questions are based on 2003 UPC.

Board members interested in taking an exam, please send an e-mail to Cindy Houlson and she will forward to Prometric.

29 Committee Ron Masters, committee chair
We will be having meetings.

Legislation Update Ken Sharp

Ken Sharp reported this session is focused on state budget problems. There have been a number of miscellaneous bills come up this year. All bills that have been assigned a bill number have been forwarded to the board members attention. Those bills include a bill to repeal the entire licensing statute, a bill to issue refunds if a license is eliminated through statute, a bill introduced for the board to do an economic study on impact of licensing especially on small business owners, a bill for geothermal licensing and a draft of a bill to establish a solar license. These bills needed to meet the Feb. 12th funnel date (where a bill has to get out of one side of the legislature out of their respective committees). None of these bills made it out of committee. There are a number of other strategies where these could surface again. We are watching those very carefully.

Ken also reported the department has received several legislative inquiries regarding the grandfathering provisions and the new testing requirements. Legislators are contacting the department with constituents that fall into three different groups as follows:

- 1) People that have missed the grandfathering date and want an extension.
- 2) People that missed the grandfathering date and need a master license but cannot obtain one. This is because of the statutory requirement that an applicant had to hold a journey or master license previously in order to sit for a master Iowa exam and then receive the master license. Several of these people are from rural Iowa where licenses have never been issued and they have many years of experience (15-30 years).
- 3) Journey license applicants – the department needs guidance from the board regarding the January 1, 2010 date requirement for a journey applicant to have completed a Department of Labor (DOL) registered apprentice program. There are a number of people that missed the grandfathering provisions, need a journey license and already have four plus years of experience prior to January 1, 2010. The question is when should the requirement for completing a DOL apprentice program apply to journey exam applicants?

After lengthy discussions the board provided the following guidance on the three scenarios listed above.

- 1) Absolutely no extension for grandfathering should be made. Information regarding licensure has been widely distributed since 2008. Anyone missing the deadline should be expected to demonstrate their knowledge of the trade.
- 2) The board has no authority to address this issue. Some board members expressed a need to address this but felt this was an issue for the legislature to address. The board declined making specific recommendations for persons that need a master license but do not qualify due to not previously holding a license.
- 3) The board provided the following guidance regarding the applicability of the DOL requirement for apprenticeships:

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- a) Any applicant for a journey exam that has four or more years (48 months) of apprentice level or greater experience before January 1, 2010 will be allowed to sit for an exam assuming other requirements have been met.
- b) Any applicant with less than four years apprenticeship training as of January 1, 2010 will be required to present a DOL certificate before being eligible for an exam. This will require some employers to register with the DOL part way through their apprenticeship training and will need to seek credit for that training already completed.

Licensing Program Statistics - Cindy Houlson

Cindy reported:

A total of 15,269 licensees, with 26,222 licenses approved

Other Business

Ken Sharp reported the Department of Management has approved the Investigator II position. The clerk specialist position was denied. As a formality paperwork will be processed through the Department of Administrative Services for the Investigator II position. This position will be posted in a week to ten days for duration of three weeks. There may be individuals that are in the Investigative II series on recall or outplacement lists that may have first consideration for this position. The position will be on the Department of Labor website if there are no candidates on those lists the position will be advertised to the public. Information will be shared with the board and list serve on how to apply for this position. All applications go through Human Resources to verify minimum qualifications. Selection criteria will be created with a pre-interview questionnaire sent to desirable candidates and interview the top three-five candidates. Possible hire date is early to mid April.

We do have two temporary staff members and plan to keep for several more months. There are no plans to resubmit the Clerk specialist Position for approval for six to nine months. Staff has been requested to track and monitor their workload to help determine additional staffing needs.

Office Move – Ken Sharp

The Plumbing and Mechanical Board office will be moving into the old Mercy Capitol building, 1st floor. There is a main conference room, along with four or five smaller conference rooms. There is 14-16 work spaces designated for this program. Emergency Medical Services and the Bureau of Professional Licensing are also moving to Mercy campus. The cubicles are similar to what we have presently. It is estimated to take six weeks for new carpet, painting, etc. Realistically, June is the earliest that we could move. This will be a good move for us.

Public Comments

Chuck Thomas reviewed an email from Victor Zajcew, HVAC Coordinator, Dept. of Public Defense, Camp Dodge, IA

CEU Chair, Jane Hagedorn directed that a letter be sent to him directing him to Chapter 30 641-30.2 which clearly states the requirements. He would need to communicate with the electrical board about those concerns. Courses may qualify for both boards – individuals submit for approval. Suggestion was that Jane have a discussion with Joe Brooks about courses qualifying for CEUs for both trades.

Letter from Black Hills Energy in reference to training certifications.

Evan Peterson commented that their organization has some NATE certification, some with two year degree, some with in house training. Seeking information to get in house training approved.

This concern will be forwarded to the Chapter 29 Committee.

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Email from Joe Kelley Can dealers hookup gas and change orphis for the gas on a HUD home, on private ground, and in towns that have no rules for contractors to hook them up?
Iowa Code 103A addresses manufactured housing retailer. They are allowed to hook up in a manufactured housing park. On private ground, assuming outside a park that law does not apply. Ken Sharp will respond to Mr. Kelley's email.

Mike Machula

Address email from Victor Zajcew might want to mention in his letter that state or federal owned buildings do not need to maintain a license. So unless he is using those licenses for side work I don't believe they are required.

Apprentice registration-if you go on your website and tried to register in this state, it is virtually impossible. Cindy said they were going to work on that, but just wanted to bring to your attention. Verified with Cindy, you are not allowed to take a loose-leaf code book in to take the test. The required licensing for the journey plumber with gas test is the 2003 UPC. That book is no longer available in soft cover. Also there is no mention on Prometric website about any loose-leaf code books. But the proctor will not allow you to take it in. Train them on the changes from the 2003 to the 2006.

There has been a lot of talk about the "Home Rule" I don't understand this. There are a lot of jurisdictions that are not adopting the UPC Code. Is this going to be allowed?

Are there CEU requirements for specialty license?

We have just begun work on those.

Bill Switzer

If there is an interest in a Solar Code, we produce one. I think this board should have jurisdiction over solar, mainly because you are dealing with potable water and solar and would require some type of antifreeze, will require some sort of backflow prevention, which is back to the plumbing again. Can bring some books you may review, return and can sell to you used. Has added in portion distribution and what and where you have to install on a roof. It has come a long ways There was never a bill number assigned for solar licensing draft. There was nothing in the draft regarding code adoption. Senator Jachum drafted this bill. If you would like input into that bill please contact Senator Jachum.

Code changes – are we going to see code changes prior to the board voting on?

Once the subcommittee is complete it will come before the board with our recommendations. It will be voted on.

Questioning masters that missed this last year and a half of not knowing we have had to get one. As of January 1, it would require six years to get a master license. If you have been in business for six years and can prove through IRS tax return, should be no problem taking the test. Some things to consider.

There should not be a problem bringing in a loose-leaf code book for the test.

Mike Machula

Is there any update on Contractor license?

We are presently working on this license.

Is the intent to have state-wide bond.

Bonding and insurance requirement would be standard for state.

If bonding requirement is part of permitting process and not part of licensing process, we are unable to address.

If local jurisdiction chooses to adopt another code, that is not part of this board's authority.

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Statute states local jurisdictions can adopt an equal or greater stringent than state code.

There was a difference between the statute that established the plumbing code under the state board of health and the statute that we have now have under this board. This board talked about state-wide application, the previous statute wasn't worded that same way. Statutoril language gave broader application of that code under this board. We do need to take a look at that differences in that. Right now that may limit what we can say.

Kevin

Last board meeting the contractor license was approved along with specialty license. Is that license in place now?

Issue is getting licensing software in place and the application process completed. Rules requirements were finished in January.

With the new investigator, is there a formal complaint form on the website?

There is not yet, we will be working on that when we get the investigator on board. In the meantime a letter can be written to Cindy Houlson. Complaints must be signed anonymous complaints will not be accepted.

The electrical board has a specialty license for connect/reconnect, nothing for HVAC we are hearing again would a master/journey HVAC license accept for a specialty connect/reconnect license?

That could be brought to the Board at their next meeting. Stuart Crine will present to the board, if there are specific questions he will communicate with Kevin.

Next meeting scheduled March 16, 2010 at 9:00 a.m.

Adjournment

Motion: Jane Hagedorn made a motion to adjourn

Seconded: Chuck Thomas

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried