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**STATE BOARD OF PLUMBING  
BUSINESS MEETING MINUTES**

**Date:** May 16, 2024

**Time:** 10:30 a.m.

**Location:** 1100 N. Eutaw Street  
First Floor Conference Room  
Baltimore, MD 21201  
**(In person for Board Members and Staff)**  
Held via Video Conference  
[meet.google.com/qks-niad-yfo](https://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  
Robert Parker, Consumer Member  
Leif Hancock, Industry Member  
Hayward Hinkhaus, Industry Member  
Craig Stokes, Industry Member

**Absent:** Keith Horton, Vice-Chairman, Industry Member  
Richard Bowers, Consumer Member

**LABOR Officials & Staff Present:** John Bull, Executive Director, Mechanical Licensing Unit  
Sloane Fried Kinstler, Assistant Attorney General  
LaKissha Thornton,

**OTHERS PRESENT:** Shelly Fishpaw, Pipe Trades Technology  
Kris McCurry, ???

**CALL TO ORDER**

Chair Joseph Radtka called the Business Meeting of the Maryland State Board of Plumbing to order, virtually, at 10:32 a.m.

**APPROVAL OF MINUTES**

A motion was made by Mr. Parker to approve the minutes of the April 18, 2024, Plumbing Board meeting without amendment, seconded by Mr. Hancock, and, by a roll call vote, unanimously approved by the Board.

**PLUMBING COMPLAINT COMMITTEE**

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

| <b><u>Closed Complaint</u></b> | <b><u>Under Investigation</u></b> | <b><u>Sent for A.G. Pre-Charge</u></b> | <b><u>Criminally Charged</u></b> |
|--------------------------------|-----------------------------------|--|----------------------------------|
| 24-0026                        | 23-0050                           | 24-0022                                | 24-0021                          |
| 24-0028                        | 24-0030                           | 24-0029                                | 24-0027                          |
| 24-0031                        | 24-0034                           |  | 24-0035                          |
| 24-0033                        | 24-0038                           |  | 24-0036                          |
| 24-0054                        | 24-0040                           |  |                                  |
| 24-0055                        | 24-0041                           |  |                                  |

Upon a motion by Mr. Parker, and a second by Mr. Hancock, 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 April 2024:

| <b>Plumber</b>             | <b>Candidates Tested</b> | <b>Passed</b> | <b>Failed</b> | <b>Pass %</b> |
|----------------------------|--------------------------|---------------|---------------|---------------|
| Journey Natural Gas Fitter | 13                       | 6             | 7             | 46%           |
| Journey Plumber/Gas Fitter | 43                       | 13            | 30            | 30%           |
| Master Natural Gas Fitter  | 7                        | 1             | 6             | 14%           |
| Master Plumber/Gas Fitter  | 21                       | 9             | 12            | 43%           |
| <b>TOTAL</b>               | <b>84</b>                | <b>29</b>     | <b>55</b>     | <b>35%</b>    |

Director Bull further reported that since January 2024, 277 candidates were tested, 99 candidates passed, 123 failed, for a pass rate of 36%. Since the inception of the test, 11,452 candidates were tested, 4,140 candidates passed, 7,312 failed, for a pass rate of 36%. There are currently 13,656 active licensees.

## **CORRESPONDENCE**

None to consider.

## **OLD BUSINESS**

### **Code Adoption:**

Director Bull reintroduced the discussion on code adoption. Counsel Kinstler reminded the Board that while the Board had discussed adopting the newest versions of the codes enforced by the Board, they had not made a final determination as to the best way to proceed. She continued, stating that the Board could choose to adopt some, or all, of the codes they are required to adopt as they are routinely and periodically amended, which would eliminate the need for code adoption in future cycles. Regarding the codes that are adopted by the Division of Labor and Industry (“DLI”), Director Bull would need to incorporate them by reference. Mr. Schott commented that he felt the Board had chosen to adopt its code sections as it and amend COMAR to reflect that the codes would be periodically amended.

Counsel reminded the Board that while the discussion had been held, no decision was made. Counsel advised that if the Board wished to proceed with the incorporation by reference method for its and the codes adopted by Labor and Industry, that should would draft language that would allow for that to be so. She confirmed, that should they chose to do so, they would need to repeal the current COMAR provisions regarding the codes they currently adopt and replace them. Counsel listed the codes that are currently adopted by the Board and asked the Board if the wished to add any other codes. Chairman Radtka stated that they Board may wish to adopt the National Gas Code as well as the International Gas Code as there were some differences and suggest that the Board discuss that matter further. Counsel advised that the Board could choose to adopt the National Gas Code in addition to the International Gas Code but that the Board would need to vote on the matter. She added that she would inquire to see if the National Gas Code had been adopted by DLI, and if so that it could be incorporated by reference. Chairman Radtka questioned the time and expense that would be needed to adopt the National Gas Code if it was not adopted by DLI; to which Counsel responded that the cost would most likely be significant, as each it would require to supply a copy of the code to each of the repositories in Maryland and retain a copy for counsel and the Executive Director.

Counsel questioned whether there were significant differences between the National Gas Code and the International Gas Code. Mr. Schott replied that he felt the National Gas Code did contain differences from the International Gas Code and the National Code was stricter. Counsel mentioned that the Board could choose to adopt some sections of the National Gas Code, if in fact, it was adopted by DLI, as opposed to the full code. She advised that if the Board choose to adopt only sections that they reference them by subject, page number, to prevent the Board from having to introduce or revise a COMAR regulation, should the page numbers change in the future. Counsel informed the that she would draft a proposed regulation to make the adoption changes requested by the Board, to be reviewed in the future.

Chairman Radtka and Mr. Schott expressed their desire to move forward with code adoption quickly, as the local jurisdictions were pressing to adopt the new codes. Chairman Radtka stated that he wished

for the National Fuel Gas Code, NFPA 58, be added to the codes adopted by the Board. Counsel informed the Board that that would need to be done by regulation and stated that she would also draft a proposal.

A motion was made by Mr. Schott to adopt the four current codes recognized by the Board ( IPC, IFGC, IRC, National Fuel Gas Code 54) and to adopt NFPA 54, seconded by Mr. Hinkhaus, and unanimously carried by the Board.

A motion to seek approval from the Secretary's Office to amend or repeal COMAR 09.20.01.02, .03, .04, .06, .07, and repeal COMAR 09.20.01.05 (if the regulation is not needed) was made by Mr. Schott, seconded by Mr. Hancock, and unanimously carried by the Board.

#### Climate Solutions Act Now of 2022:

Chairman Radtka stated that he wished for the Board to have a discussion on the Climate Solutions Act of 2022. He stated that while the act had been placed into law in Maryland, similar laws in other states and some jurisdictions were facing opposition and that he felt the Board should take a stance. He requested that the matter be placed under Old Business for the June meeting and the materials be sent to the Board for review.

There was no other Old Business to be discussed.

#### **NEW BUSINESS**

Chairman Radtka introduced Mr. Craig Stokes, Master Plumber from Baltimore City, as the newest member of the Board. The other Board members and Director Bull introduced themselves to Mr. Stokes and stated their positions on the Board. Chairman Radtka then introduced the members of the public present at the meeting and their affiliations.

An error to the April 2024 Open Session meeting minutes was noted by Chairman Radtka. A vote to correct the April 2024 minutes and adopt them as correct was made by Mr. Hinkhaus, seconded by Mr. Schott, and unanimously carried by the Board.

There was no other New Business.

#### **EXECUTIVE DIRECTOR'S REPORT**

Director stated that the Board was preparing for the 2025 Legislative Session and request that if any Board member wished to propose legislation, that they do so as soon as possible, so they could be posted to the ticker sheet by the Office of the Commissioner.

Director Bull informed the Board that a new investigator for the Mechanical Licensing Unit had been hired. He continued they would begin employment on June 5, 2024 and would attend the next Complaint Committee and Board meetings.

#### **COUNSEL'S REPORT**

None offered. Counsel did state to the Board that they would convene in a closed session and advised on the procedures to be followed.

### **CHAIR'S REPORT**

The Chairman welcomed Mr. Stokes to the Board.

A question was posed by Ms. Fishpaw before the Board entered closed session regarding how the adoption of the new plumbing codes would affect the exams currently being administered by PSI. Chairman Radtka stated that a new test would be developed in cooperation with PSI and the Board based on the 2021 code sections. Ms. Fishpaw further questioned if an applicant would be able to take the exam based on the 2018 code version or the 2021 code version, if they were testing at the time when the new exam was being introduced. Counsel stated that, historically, for a short time, candidates could choose to test on either version of the code, but she could not confirm that would be the case moving forward. Director Bull stated that, presently such a provision did exist, but applicants would be informed of the change to the code version when the new exam was put into effect.

### **CLOSED SESSION**

The State Board of Plumbing convened in a closed session to review license applications at 11:28 a.m., via Google Meets, pursuant to § 3-305 (b)(2) and (7) of the Gen. Prov. Art., Md. Ann. Code, to protect the privacy and reputation of license applicants and to obtain advice provided by Counsel regarding the license applications.

### **REVIEW OF LICENSE APPLICATION:**

#### **License Applicant #01**

Counsel presented the application submitted by an applicant for an original apprentice license. Counsel stated that the applicant had been convicted, in 2017 on two counts of 1<sup>st</sup> degree assault. The applicant was sentenced to 20 years, suspended, with credit for time served. The applicant was also convicted of the use of a firearm in a crime. He was sentenced to five (5) years with five (5) years suspended for the offence. The applicant submitted a letter of explanation regarding the convictions. Counsel read the letter for the Board. The applicant also submitted a letter from his employer, as a testament to his character. The applicant did not submit any other documentation.

A motion to approve the application was made by Mr. Stokes, seconded by Mr. Hancock, and unanimously carried by the Board.

A motion to return to the business meeting was made by Mr. Hancock, seconded by Mr. Parker, and unanimously approved by the Board at 11:36 a.m.

A motion to adopt the Board's findings during the closed session of May 16, 2024, was made by Mr. Schott, seconded by Mr. Hancock, and unanimously approved by the Board.

### **ADJOURNMENT**

Upon Mr. Hinkhaus' Motion, and Mr. Parker's second, and the Board unanimously voted to adjourn the meeting at 11:37 a.m.

**Signature on File**

**7/18/24**

\_\_\_\_\_  
**John Bull**  
**Executive Director**

\_\_\_\_\_  
**Date**

**Signed on behalf of the Board as voted and approved on: 7/18/24**