



TEXAS WATER UTILITIES ASSOCIATION

Proudly Celebrating Educational Excellence Since 1918

Sunset Advisory Commission
Chair - Senator Brian Birdwell
Acting Director - Jennifer Jones

Re: Observations and Concerns Related to TSBPE.

Honorable Members of Sunset Commission:

I have read the recommendations regarding the State Plumbing Board and wish to draw your attention to my concerns with some of the recommendations of the report.

There are documented backlogs and frustrations, and perhaps current decision-makers at the State Plumbing Board have contributed to these concerns; however, I find it interesting that one would associate the current Plumbing Board issues with the impact of a Hurricane or Housing shortages. The sheer volume of people relocating to Texas and baby boomers retiring from the plumbing profession are more likely the culprit. Reality is, the skilled workforce is aging.

As the Executive Director of the Texas Water Utilities Association, I am witnessing personnel shortages in all areas of water production, distribution, collection, and treatment and in all regions of Texas. Currently, my sector of licensed operators is regulated under the Texas Commission on Environmental Quality, so I am very familiar with the state licensing process and our founders' intent. From my perspective simply changing the regulatory agency or combining those who administer exams, will only create new problems and further contribute to frustrations. Particularly among the regulated community.

The real concern I have is related to the practical or hands-on testing. Water operators have a very similar license (Backflow) where there is a written aspect to the licensing process, but there is also a practical



TEXAS WATER UTILITIES ASSOCIATION

Proudly Celebrating Educational Excellence Since 1918

or hands-on requirement, which provides the experienced licensed examiner opportunity to determine if the applicant is proficient in the testing, troubleshooting, installation, and repair of backflow devices. In this actual example, lowering or removing the practical standard would no doubt facilitate more backflow technicians, but to do so would be detrimental to public health and safety, primarily because of the lack of hands-on experience and time acquired knowledge.

My concern and passion is always "Public Health and Safety." What the report designates as "overregulation" and "inhibiting entry" has merit and should not be brushed off or disregarded as insignificant, outdated, or burdensome.

Minimum Plumbing Standards along with Practical application knowledge, Backflow, Cross Connection, and Customer Service Inspections and all the mechanical aspects of demonstrating practical application, is the last ditch effort to ensure and protect the public. These areas all currently have minimal standards, and if anything, these experience requirement standards should be expanded, not diluted, by those who believe – "every kid deserves and should receive a trophy." Meaning not everyone has the aptitude to become a licensed plumber.

Adamantly oppose the removal of "Direct Supervision" from the rule. A master plumber or licensed persons "eyes" on the job site or project should be the absolute minimum standard. Again, we are charged with the protection of public health and safety, and reducing the standard so that more contractors or arguably "under-qualified persons" can perform mechanical acts, is inviting problems.

The report mentions the tremendous growth in population and the need for housing. I strongly suggest an expansion of hands-on, knowledgeable staff, and more field oversight, to provide assurance that plumbing is not attributed to any health issues in Texas.



TEXAS WATER UTILITIES ASSOCIATION

Proudly Celebrating Educational Excellence Since 1918

Perhaps TDLR has a better system for exam administration, then, by all means, take advantage of resources available, but I urge you, do not remove the practical or hands-on testing aspect from the plumber's license.

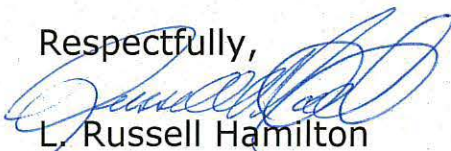
It is critical that those with a plumber's license demonstrate basic skills, knowledge, and abilities. To help put this into perspective – if the aviation industry decided to remove the actual flight time requirements from a pilot's license. There would be those who could pass the written aspects of the pilot licensing process. And no doubt believe they should be afforded the opportunity to fly. But how many plane crashes would there be? Likewise, how many health incidents the magnitude of Flint Michigan are you prepared to defend?

Any action which would license a plumber without demonstrating the practical skills aspects or remove the direct supervision component is concerning and problematic. It will not be a matter of "if" something devastating happens, but rather "when" and how many human lives will be compromised and impacted.

Any creation or revision of plumbing exams should require the input and collaboration of those with the highest level plumbing license and actual hands-on field experience. Outsourcing this critical aspect of licensing is simply not a good idea or alternative.

For the concerns identified in the report – work on the concerns, address personnel or staffing issues, appoint new board members if needed, expand investigators, but please do not be quick to say this Plumbing Board is no longer effective or needed, and the purpose or functions can be privatized or incorporated into other state agencies. The ramifications of such action will negatively impact public health.

Respectfully,



L. Russell Hamilton
Executive Director