

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 72

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE HEATING, VENTILATION AND AIR CONDITIONING BOARD; AMENDING  
2 SECTION 54-5004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO BOARD  
3 MEMBER TERMS, TO REVISE PROVISIONS RELATING TO COMPOSITION OF THE  
4 BOARD, TO REVISE PROVISIONS RELATING TO ELECTION OF A BOARD CHAIRMAN, TO  
5 PROVIDE FOR A BOARD VICE CHAIRMAN AND TO REVISE BOARD MEMBER COMPENSA-  
6 TION.  
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 54-5004, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 54-5004. IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD. (1)  
12 The Idaho heating, ventilation and air conditioning board, referred to  
13 as the board, is hereby created and made part of the division of building  
14 safety. It shall be the responsibility and duty of the administrator of the  
15 division of building safety to administer and enforce the provisions of this  
16 chapter, and the board shall make, promulgate and publish such rules as may  
17 be necessary to carry out the provisions of this chapter. Except as may be  
18 limited or prohibited by law, such rules so made and promulgated shall have  
19 the force of statute.

20 (2) The board shall consist of seven (7) members appointed by the gov-  
21 ernor, with power of removal for cause. Members appointed to fill positions  
22 that expire in 2011 and members appointed to fill the two (2) HVAC contractor  
23 positions that expire in 2012 shall be appointed for a term of two (2) years.  
24 All other members appointed to fill positions that expire in 2012 shall be  
25 appointed for a term of three (3) years. Thereafter, all board mMembers  
26 shall be appointed for a term of three (3) years. Whenever a vacancy occurs,  
27 the governor shall forthwith appoint a qualified person to fill the vacancy  
28 for the unexpired portion of the term. All members of the board shall be  
29 United States citizens, residents of this state for not less than two (2)  
30 years, and qualified by knowledge, integrity and experience to properly  
31 perform the functions of the board. All members of the board shall take,  
32 subscribe and file with the secretary of state an oath of office in the form,  
33 manner and time as prescribed by chapter 4, title 59, Idaho Code.

34 (3) Of the seven (7) board members, ~~two~~ three (23) members shall be ac-  
35 tive HVAC contractors with not less than five (5) years' experience in the  
36 HVAC contracting business; one (1) member shall be a city official; one (1)  
37 member shall be a county official; one (1) member shall be a private sector  
38 mechanical engineer with experience in mechanical system design; and one (1)  
39 member of the initial board shall be a contractor member of the Idaho elec-  
40 trical board who shall serve a two (2) year term and thereafter the sixth  
41 board member shall be an HVAC specialty contractor who shall serve a three  
42 (3) year term; and one (1) member of the initial board shall be a contrac-

1 ~~tor member of the Idaho plumbing board who shall serve a two (2) year term and~~  
2 ~~thereafter the seventh board member shall be an HVAC contractor with not less~~  
3 ~~than five (5) years' experience in the HVAC contracting business who shall~~  
4 ~~serve a three (3) year term.~~

5 (4) The board shall meet within thirty (30) days after the appointment  
6 of all its members and thereafter at such other times as may be expedient and  
7 necessary for the proper performance of its duties. At the board's first  
8 meeting, and every two (2) years thereafter, the members shall elect one (1)  
9 of their number to be chairman and one (1) of their number to be vice chair-  
10 man. A majority of the board shall constitute a quorum for the transaction of  
11 business and not less than two (2) quorum meetings shall be held each year.  
12 The board may delegate to any member, or its chairman or other employees,  
13 the power to make investigations and hold hearings at any place it may deem  
14 proper, and to report findings to it; and may delegate to its chairman and em-  
15 ployees the performance of ministerial functions.

16 (5) Each member of the board shall be compensated as provided in section  
17 59-509 ~~(h)~~, Idaho Code.