

Dear Senators ANDREASON, McKague, Stennett, and  
Representatives BLACK, Henderson, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Division of Building Safety:

IDAPA 07.05.01 - Rules Pertaining To The Public Works Contractors License Board (Fee Rule) New  
"Class CC" license (Docket No. 07-0501-1201);

IDAPA 07.05.01 - Rules Pertaining To The Public Works Contractors License Board - Annual  
financial statement (Docket No. 07-0501-1202).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 10/01/2012. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/29/2012.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address on the  
memorandum attached below.



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee  
**FROM:** Principal Legislative Research Analyst - Eric Milstead  
**DATE:** September 14, 2012  
**SUBJECT:** Division of Building Safety

IDAPA 07.05.01 - Rules Pertaining To The Public Works Contractors License Board (Fee Rule) New "Class CC" license (Docket No. 07-0501-1201)

IDAPA 07.05.01 - Rules Pertaining To The Public Works Contractors License Board - Annual financial statement (Docket No. 07-0501-1202)

1. The Division of Building Safety has submitted temporary and proposed rulemaking at IDAPA 07-0501-1201 - Rules of the Public Works Contractors License Board (Fee Rule). This temporary and proposed fee rule reflects the adoption of a new classification of public works contractor licensing authorized by House Bill 465 which was passed during the 2012 Legislative Session. The rule provides that the license for the new classification, Class CC, is \$125. (Section 201.01.f).

The temporary and proposed rule appears to be authorized pursuant to section 54-1907, Idaho Code.

2. The Division of Building Safety has submitted temporary and proposed rulemaking at IDAPA 07-0501-1202 - Rules of the Public Works Contractors License Board. The proposed rule makes one change to existing rule: it clarifies that the annual financial statement required with an application for a public works contractors license covers a period ending no more than twelve months prior to the date of submission of the license application.

The agency states that negotiated rulemaking was not conducted because of the simple nature of the change; but that the proposed change was discussed at three different Public Works Contractor Licensing Board meetings during 2012 and that affected parties voiced support for the change.

The proposed rule appears to be authorized pursuant to section 54-1907 and 54-1020, Idaho Code.

cc: Division of Building Safety  
Steve Keys

## PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

**Department or Agency:** Division of Building Safety

**Agency Contact:** Steve Keys, Deputy Administrator - Operations **Phone:** (208) 332-8986

**Date:** August 13, 2012

**IDAPA, Chapter and Title Number and Chapter Name:** IDAPA 07.05.01 – Rules of the Public Works Contractors Licensing Board

**Fee Rule Status:**      **Proposed**            **Temporary**

**Rulemaking Docket Number:** 07-0501-1201

### STATEMENT OF ECONOMIC IMPACT:

The Legislature, in its last session, approved the new CC class license predicated on the need for the new class. The Public Works Contractor Licensing Board must, by administrative rule, establish the license fee and financial requirements before it can be implemented. House Bill 465 reflected a maximum license fee of \$150, and the projected financial requirements were included in the Statement of Purpose and addressed with the legislative committees when the legislation was considered. This rulemaking reflects the agreed-upon fees and financial requirements. Quick implementation of this CC class license is in the best interest of the public's health and safety because of the benefits from having more qualified contractors participating in bidding construction projects or subcontracts within the \$200K to \$400K range which aids in ensuring the safe and efficient construction of public works.

There is no anticipated fiscal impact to the Division or applicants for licensure in the aggregate, as any upgrades from C to CC would likely be offset by downgrades from B to CC.

## **IDAPA 07 - DIVISION OF BUILDING SAFETY**

### **07.05.01 - RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD**

#### **DOCKET NO. 07-0501-1201 (FEE RULE)**

#### **NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is July 1, 2012.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-1907, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 19, 2012.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In 2012, a new classification of public works contractor licensing (PWCL) was created in Section 54-1904, Idaho Code, called a "Class CC" license. This new class of license was brought forward in response to requests from contractors and public agencies in an attempt to broaden the base of qualified contractors available to bid on construction projects in the \$200K to \$400K range. Many contractors wanted to be able to bid on projects in this range, but were unable to qualify for the B license due to financial requirements. The CC license allows a contractor to perform work on public works involving an estimated cost of not more than \$400,000. Section 54-1904 allows the Public Works Contractor Licensing Board to establish rules to determine in which classification a contractor is qualified to engage in public works construction according to each applicant's responsibility and scope of operations. Accordingly, by rule all classifications have minimum financial requirements and amendment must be made to include the new Class CC. Additionally, Section 54-1904 only establishes a maximum initial and renewal fee for each classification of license; accordingly, actual fees for the Class CC license still must be established in rule. Finally, rule section related to financial statements submitted with an application for licensure must account for the new CC classification of licensure. The rulemaking establishes minimum financial requirements for obtaining and maintaining a Class CC license in the amount of \$75,000 of net worth and \$25,000 of working capital. Additionally, it establishes an initial and renewal license fee for the Class CC license in the amount of \$125. Finally, it requires financial statements submitted with an application for a Class CC license to be accompanied by an independent audit report or reviewed or compiled by a certified public accountant.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Sections 67-5226(1)(a) and (b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The Legislature, in its last session, approved the new CC class license predicated on the need for the new class. The Public Works Contractor Licensing Board must, by administrative rule, establish the license fee and financial requirements before it can be implemented. House Bill 465 reflected a maximum license fee of \$150, and the projected financial requirements were included in the Statement of Purpose and addressed with the legislative committees when the legislation was considered. This rulemaking reflects the agreed-upon fees and financial requirements. Quick implementation of this CC class license is in the best interest of the public's health and safety because of the benefits from having more qualified contractors participating in bidding construction projects or subcontracts within the \$200K to \$400K range which aids in ensuring the safe and efficient construction of public works.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

The rulemaking establishes minimum financial requirements for obtaining and maintaining a Class CC license in the amount of \$75,000 of net worth and \$25,000 of working capital. Additionally, it establishes an initial and renewal license fee for the Class CC license in the amount of \$125.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

No anticipated impact to the Division or applicants for licensure in the aggregate, as any upgrades from C to CC would likely be offset by downgrades from B to CC.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because of the need for temporary rulemaking pursuant to amendments to governing law passed by the 2012 Idaho Legislature.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: None.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Steve Keys, Deputy Administrator - Operations at (208) 332-8986.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 26, 2012.

DATED this 7th day of August, 2012.

Steve Keys  
Deputy Administrator - Operations  
Division of Building Safety  
1090 E. Watertower St.  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-8986  
Fax: (208) 1-877-810-2840

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**THE FOLLOWING IS THE TEMPORARY RULE AND PROPOSED TEXT  
FOR FEE DOCKET NO. 07-0501-1201**

**110. APPLICATION FOR LICENSURE -- DOCUMENTATION, APPRAISALS, REFERENCES, BONDING, AND FINANCIAL STATEMENTS.**

**01. Application Documentation.** To obtain a license, the applicant shall submit to the administrator, on such forms as the administrator shall prescribe, accompanied by the required fee for the class of license applied for, a written, notarized application for such license. All of the information submitted by the applicant shall specifically pertain to work that is similar in scope and value to that for which licensure is being requested or which is being requested in a petition to change or add types of construction. The information contained in such application forms shall include: (3-20-04)

**a.** A complete statement of the general nature of applicant's contracting business, including a concise description of the applicant's experience and qualifications as a contractor and a list of clients for whom work has been performed; (3-20-04)

b. A description of the value and character of contract work completed and for whom performed during the three (3) year period prior to filing the application; (3-20-04)

c. A general description of applicant's machinery and equipment; and (3-30-07)

d. An annual financial statement, as herein defined, that was issued no more than twelve (12) months prior to the date of submission of the application, indicating compliance with such financial requirements as the Board may prescribe by rule. The applicant's financial statement may be supplemented with: (3-30-07)

i. Bonding. As authorized by Section 54-1910(e), Idaho Code, a letter from applicant's bonding company, not an insurance agent, stating the amount of the applicant's bonding capability per project and in the aggregate, including supporting documentation; (3-30-07)

ii. Guaranty. Documentation, satisfactory to the administrator, of the existence of a written guaranty agreement between the applicant and a third-party in which the third-party guarantor agrees to assume financial responsibility for payment of any obligations of the applicant for any particular project as may be determined by a court of competent jurisdiction. The guaranty agreement, along with financial statements meeting the requirements of Paragraph 110.01.e. of this rule, shall be submitted with the license application. (3-30-07)

e. For Class A, AA, AAA, and Unlimited license applications, financial statements shall be accompanied by an independent auditor's report or be reviewed. For Class B and CC license applications, financial statements must be accompanied by an independent audit report or be reviewed or compiled by a certified public accountant. For Class C and Class D license applications, financial statements must be accompanied by an independent audit report or be reviewed, compiled, or on the form provided by the administrator, and include such additional information as may be required by the administrator to determine the applicant's fitness for a license. ~~(5-8-09)~~(7-1-12)T

f. The name, social security number, and business address of an individual applicant or, if the applicant is a partnership, its tax identification number, business address, and the names and addresses of all general partners; and if the applicant is a corporation, association, limited liability company, limited liability partnership, or other organization, its tax identification number, business address, and the names and addresses of the president, vice president, secretary, treasurer, and chief construction managing officers, or responsible managing employee. (3-20-04)

g. Applicants requesting a licensing class higher than that for which the applicant is currently licensed shall provide documentation, satisfactory to the administrator, of having performed projects, similar in scope and character to those for which license is requested. The monetary value of those jobs must fall within a range not less than thirty percent (30%) below that for which the applicant is currently licensed. (4-11-06)

**02. Application for Change in Licensing Class.** Requests for a licensing class higher than that for which the applicant is currently licensed shall be accompanied by the information in Subsection 110.01 of these rules, and the applicable fee. Licenses granted under Subsection 110.02 of these rules shall be valid for a period of twelve (12) months from the date of issuance. (4-11-06)

**03. Extension of Time to File Financial Statement.** The administrator may grant an extension of time to file the annual financial statement if the licensee provides an interim compiled balance sheet and income statement for the applicant's fiscal year-to-date, duly certified as true by the applicant, and if a partnership, limited liability company, or limited liability partnership by a member thereof, and if a corporation, by its executive or financial officer. Such renewal application shall be filed prior to the first day of such renewal licensing period. In the event an extension is granted, the renewal license shall be valid for a period of twelve (12) months from the date of the issuance of the renewal license. (3-20-04)

**04. Appraisals.** The administrator may require submission of an independent appraisal of any real or chattel property reported by an applicant or licensee. Such appraisals shall be conducted by a disinterested person or firm established and qualified to perform such services. (3-20-04)

**05. References.** The administrator may require an applicant for an original or renewal license to furnish such personal, business, character, financial, or other written references as deemed necessary and advisable in determining the applicant's qualifications. (3-20-04)

**111. FINANCIAL REQUIREMENTS.**

The financial requirements for obtaining and maintaining a license under this Act shall be as follows: (4-11-06)

**01. Heavy, Highway, Building, and Specialty Construction Class Unlimited License.** An applicant requesting a Class Unlimited license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of one million dollars (\$1,000,000) with six hundred thousand dollars (\$600,000) in working capital. (5-8-09)

**02. Heavy, Highway, Building, and Specialty Construction Class AAA License.** An applicant requesting a Class AAA license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of six hundred thousand dollars (\$600,000) with two hundred thousand dollars (\$200,000) in working capital. (3-19-99)

**03. Heavy, Highway, Building, and Specialty Construction Class AA License.** An applicant requesting a Class AA license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of four hundred fifty thousand dollars (\$450,000) with one hundred fifty thousand dollars (\$150,000) in working capital. (3-19-99)

**04. Heavy, Highway, Building, and Specialty Construction Class A License.** An applicant requesting a Class A license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of three hundred thousand dollars (\$300,000) with one hundred thousand dollars (\$100,000) in working capital. (3-19-99)

**05. Heavy, Highway, Building, and Specialty Construction Class B License.** An applicant requesting a Class B license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of one hundred fifty thousand dollars (\$150,000) with fifty thousand dollars (\$50,000) in working capital. (3-19-99)

**06. Heavy, Highway, Building, and Specialty Construction Class CC License.** An applicant requesting a Class CC license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of seventy-five thousand dollars (\$75,000) with twenty-five thousand dollars (\$25,000) in working capital. (7-1-12)T

**067. Heavy, Highway, Building, and Specialty Construction Class C License.** An applicant requesting a Class C license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of twenty-five thousand dollars (\$25,000) with seven thousand five hundred dollars (\$7,500) in working capital. (3-19-99)

**078. Heavy, Highway, Building, and Specialty Construction Class D License.** An applicant requesting a Class D license in Heavy, Highway, Specialty or Building Construction shall have a minimum net worth of ten thousand dollars (\$10,000) with three thousand dollars (\$3,000) in working capital. (3-19-99)

**(BREAK IN CONTINUITY OF SECTIONS)**

**201. FEES.**

**01. Public Works Contractor Licensing Fees.** Initial licensing and renewal fees for each class of public works contractor licenses shall be, in accordance with Section 54-1904, Idaho Code, as follows: (4-9-09)

**a.** The fee for a Class Unlimited license shall be five hundred fifty dollars (\$550). (4-9-09)

- b. The fee for a Class A license shall be two hundred fifty dollars (\$250). (3-19-07)
- c. The fee for a Class AA license shall be three hundred fifty dollars (\$350). (3-19-07)
- d. The fee for a Class AAA license shall be four hundred fifty dollars (\$450). (3-19-07)
- e. The fee for a Class B license shall be one hundred fifty dollars (\$150). (3-19-07)
- f. The fee for a Class CC license shall be one hundred twenty-five dollars (\$125). (7-1-12)T**
- fg.** The fee for a Class C license shall be one hundred dollars (\$100). (3-19-07)
- gh.** The fee for a Class D license shall be fifty dollars (\$50). (3-19-07)
- 02. Construction Manager Licensing Fees.** Initial licensing and renewal fees for construction manager licenses shall be, in accordance with Section 54-4510, Idaho Code, as follows: (4-9-09)
  - a. The fee for initial examination and licensing shall be two hundred dollars (\$200). (3-19-99)
  - b. The fee for license renewal shall be two hundred dollars (\$200). (3-19-99)
  - c. The fee for an inactive license shall be fifty dollars (\$50). (3-19-99)
  - d. The fee for license reinstatement shall be two hundred dollars (\$200). (3-19-99)
  - e. The fee for administering the examination shall be the standard fee established for taking that examination. (3-19-99)
  - f. The fee for issuing and for reinstating a certificate of authority shall be one hundred dollars (\$100). (3-19-99)
- 03. Payment of Fees.** Fees shall be payable to “Division of Building Safety -- Public Works Contractors.” (3-20-04)
- 04. Application Filed With Fees.** Required fees shall accompany all applications. An application filed without the required fees shall be deemed incomplete and returned to the applicant. (3-20-04)

## **IDAPA 07 - DIVISION OF BUILDING SAFETY**

### **07.05.01 - RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD**

**DOCKET NO. 07-0501-1202**

#### **NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-1907 and 54-1910(4)(e), Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 19, 2012.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

As part of the application for a public works contractor's license, an applicant must submit an annual financial statement, among other items. The current rule requires the applicant to submit a financial statement that details the financial condition of the applicant. However, the language contained in the rule requires only that the statement was issued within the twelve (12) months prior to submission of the application. Recently, the Division has received statements issued within the past year that reflect financial data significantly more than a year out-of-date. This change requires that the period of time covered by the financial statement ended within the last twelve (12) months prior to submission of the application. Timely financial data plays a prominent role in determining the qualifications of a Public Works Contractor. The rulemaking would clarify that the annual financial statement required with the application for a public works contractor's license covers a period of time ending no more than twelve (12) months prior to the date of submission of the application.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: None.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

No financial impact to the Division or applicants for licensure is expected.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule is simple in nature. Current financial information plays a critical role in review of a license application, and the original rule was formulated to address this. The new verbiage simply addresses an unintended administrative loophole that has been exploited by some applicants. The rulemaking amendment has been discussed at three separate Public Works Contractor Licensing Board meetings during 2012. All affected parties (public entities and licensees) have voiced support for the change.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Steve Keys, Deputy Administrator - Operations at (208) 332-8986.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 26, 2012.

DATED this 9th day of August, 2012.

Steve Keys  
Deputy Administrator - Operations  
Division of Building Safety  
1090 E. Watertower St.  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-8986  
Fax: (208) 1-877-810-2840

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**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 07-0501-1202**

**110. APPLICATION FOR LICENSURE -- DOCUMENTATION; APPRAISALS; REFERENCES; BONDING; AND FINANCIAL STATEMENTS.**

**01. Application Documentation.** To obtain a license, the applicant shall submit to the administrator, on such forms as the administrator shall prescribe, accompanied by the required fee for the class of license applied for, a written, notarized application for such license. All of the information submitted by the applicant shall specifically pertain to work that is similar in scope and value to that for which licensure is being requested or which is being requested in a petition to change or add types of construction. The information contained in such application forms shall include: (3-20-04)

**a.** A complete statement of the general nature of applicant's contracting business, including a concise description of the applicant's experience and qualifications as a contractor and a list of clients for whom work has been performed; (3-20-04)

**b.** A description of the value and character of contract work completed and for whom performed during the three (3) year period prior to filing the application; (3-20-04)

**c.** A general description of applicant's machinery and equipment; and (3-30-07)

**d.** An annual financial statement, as herein defined, that ~~was issued~~ covers a period of time ending no more than twelve (12) months prior to the date of submission of the application, indicating compliance with such financial requirements as the Board may prescribe by rule. The applicant's financial statement may be supplemented with: (3-30-07)( )

**i.** Bonding. As authorized by Section 54-1910(e), Idaho Code, a letter from applicant's bonding company, not an insurance agent, stating the amount of the applicant's bonding capability per project and in the aggregate, including supporting documentation; (3-30-07)

**ii.** Guaranty. Documentation, satisfactory to the administrator, of the existence of a written guaranty agreement between the applicant and a third-party in which the third-party guarantor agrees to assume financial responsibility for payment of any obligations of the applicant for any particular project as may be determined by a court of competent jurisdiction. The guaranty agreement, along with financial statements meeting the requirements of Paragraph 110.01.e. of this rule, shall be submitted with the license application. (3-30-07)

**e.** For Class A, AA, AAA, and Unlimited license applications, financial statements shall be accompanied by an independent auditor's report or be reviewed. For Class B license applications, financial statements must be accompanied by an independent audit report or be reviewed or compiled by a certified public accountant. For Class C and Class D license applications, financial statements must be accompanied by an independent audit report or be reviewed, compiled, or on the form provided by the administrator, and include such additional information as may be required by the administrator to determine the applicant's fitness for a license.

(5-8-09)

**f.** The name, social security number, and business address of an individual applicant or, if the applicant is a partnership, its tax identification number, business address, and the names and addresses of all general partners; and if the applicant is a corporation, association, limited liability company, limited liability partnership, or other organization, its tax identification number, business address, and the names and addresses of the president, vice president, secretary, treasurer, and chief construction managing officers, or responsible managing employee.

(3-20-04)

**g.** Applicants requesting a licensing class higher than that for which the applicant is currently licensed shall provide documentation, satisfactory to the administrator, of having performed projects, similar in scope and character to those for which license is requested. The monetary value of those jobs must fall within a range not less than thirty percent (30%) below that for which the applicant is currently licensed.

(4-11-06)

**02. Application for Change in Licensing Class.** Requests for a licensing class higher than that for which the applicant is currently licensed shall be accompanied by the information in Subsection 110.01 of these rules, and the applicable fee. Licenses granted under Subsection 110.02 of these rules shall be valid for a period of twelve (12) months from the date of issuance.

(4-11-06)

**03. Extension of Time to File Financial Statement.** The administrator may grant an extension of time to file the annual financial statement if the licensee provides an interim compiled balance sheet and income statement for the applicant's fiscal year-to-date, duly certified as true by the applicant, and if a partnership, limited liability company, or limited liability partnership by a member thereof, and if a corporation, by its executive or financial officer. Such renewal application shall be filed prior to the first day of such renewal licensing period. In the event an extension is granted, the renewal license shall be valid for a period of twelve (12) months from the date of the issuance of the renewal license.

(3-20-04)

**04. Appraisals.** The administrator may require submission of an independent appraisal of any real or chattel property reported by an applicant or licensee. Such appraisals shall be conducted by a disinterested person or firm established and qualified to perform such services.

(3-20-04)

**05. References.** The administrator may require an applicant for an original or renewal license to furnish such personal, business, character, financial, or other written references as deemed necessary and advisable in determining the applicant's qualifications.

(3-20-04)