

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

The Legislative Services Office, Research and Legislation, has received the enclosed rules of
the Bureau of Occupational Licenses:

IDAPA 24.01.01 - Rules of the Board of Architectural Examiners (Docket No. 24-0101-1201);

IDAPA 24.04.01 - Rules of the Idaho Board of Cosmetology (Docket No. 24-0401-1201) (Fee Rule).

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 10/15/2012. 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 11/13/2012.

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

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 - Brooke Murdoch

DATE: September 25, 2012

SUBJECT: Bureau of Occupational Licenses - Board of Architectural Examiners

IDAPA 24.01.01 - Rules of the Board of Architectural Examiners (Docket No. 24-0101-1201)

IDAPA 24.04.01 - Rules of the Idaho Board of Cosmetology (Docket No. 24-0401-1201) (Fee Rule)

(1) Rules Pertaining To The Rules of the Board of Architectural Examiners (Docket No. 24-0101-1201)

The Board of Architectural Examiners, through the Bureau of Occupational Licenses, submits proposed rulemaking at IDAPA 24.01.01 for the following purposes:

- (1) To define "direct supervision;"
- (2) To define "responsible control," consistent with Section 54-309(1)(f), Idaho Code;
- (3) To revise the transitional rules for taking the ARE;
- (4) To remove language requiring an architectural intern to register with the Board;
- (5) To permit firms to include the names of retired or deceased formerly licensed architects in firm names so long as their unlicensed status is disclosed;
- (6) *To grant architects the discretion of placing their seal on all technical submissions prepared by them or under their responsible control;
- (7) To remove provisions relating to the administration of construction contracts; and
- (8) To remove provisions relating to direct supervision and to clarify language relating to contracts.

*Section 54-308, Idaho Code, specifically provides that "the signature and seal shall appear on all technical submissions prepared by the architect or prepared under his direction and personal supervision...." The proposed rule, in Section 410 on page 550, seeks to change this from a mandatory requirement to a discretionary provision and is therefore not consistent with the governing statutory law.

Section 410 of the proposed rule is not authorized by, nor consistent with, the governing statute, Section 54-308, Idaho Code. The remainder of the Board's proposed rule is authorized pursuant to the provisions of Section 54-312, Idaho Code.

(2) Rules of the Idaho Board of Cosmetology (Docket No. 24-0401-1201) (Fee Rule)

The Idaho Board of Cosmetology, through the Bureau of Occupational Licenses, submits fee rulemaking at IDAPA 24 for the following purposes:

- (a) *To eliminate a \$10.00 fee for a permit to practice, demonstrate or teach cosmetology;
- (b) To change the term "student instructor" to "student trainee;" and
- (c) To revise requirements relating to the animals allowed in shops or schools.

The Cost/Benefit Analysis Form submitted with the fee rule states that the \$10.00 permit fee elimination is being made to reflect fee changes made in rule during the 2012 Legislative session. There is no fiscal impact on general or dedicated funds.

*We note that Section 54-818(1), Idaho Code, requires the Board to fix, by administrative rule, a fee for a temporary permit to demonstrate and teach in an amount not to exceed \$10.00. Eliminating the \$10.00 fee to practice, demonstrate or teach cosmetology renders Section 176 of the rule out of compliance with the governing statute. We recommend adding the required fee to Section 125 of the Rules of the Idaho Board of Cosmetology, which is entitled "FEES."

Section 176 of the fee rule is not authorized by, nor consistent with, the governing statute, Section 54-818, Idaho Code. The remainder of the Board's rule is authorized pursuant to the provisions of Section 54-821, Idaho Code.

cc: Bureau of Occupational Licenses
Tana Cory, Bureau Chief, and Cherie Simpson

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES
24.01.01 - RULES OF THE BOARD OF ARCHITECTURAL EXAMINERS
DOCKET NO. 24-0101-1201

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 Section(s) 54-312, 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 October 17, 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:

The Board of Architectural Examiners is adding definitions to clarify direct supervision of non-licensed employees and responsible control of architectural drawings to be sealed. The examination section is being updated to address changes to the nationally administered examination. Since registration of interns with the Board is no longer necessary, this requirement is being deleted. The use of an unlicensed individual's name in an architectural firm name and the use of an architect's seal are being clarified. Finally, the Board's rule regarding certain interpretations is being updated to eliminate language no longer applicable.

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

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: There is no impact on general or dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule is simple in nature and the proposed changes are being made to reflect changes in the industry, including the National Council of Architect Registration Boards (NCARB) standards.

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 Cherie Simpson at (208) 334-3233.

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 October 24, 2012.

DATED this 30th day of August, 2012.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945 fax

THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 24-0101-1201

010. DEFINITIONS (RULE 10).

- 01. Board.** The Board of Architectural Examiners as prescribed in Section 54-312, Idaho Code. (7-1-93)
- 02. Bureau.** The Bureau of Occupational Licenses as prescribed in Sections 54-605 and 67-2602, Idaho Code. (3-15-02)
- 03. Direct Supervision.** Direct supervision of an unlicensed individual in the practice of architecture means the exercise of management, control, authority, responsibility, oversight and guidance over the unlicensed individuals work, activities and conduct. ()
- 04. Responsible Control.** Responsible control means that amount of control over and detailed knowledge of the content of technical submissions during their preparation as is ordinarily exercised by registered architects applying the required professional standard of care. Reviewing, or reviewing and correcting, technical submissions after they have been prepared by others does not constitute the exercise of responsible control because the reviewer has neither control over nor detailed knowledge of the content of such submissions throughout their preparation. ()

(BREAK IN CONTINUITY OF SECTIONS)

350. REGISTRATION EXAMINATION (RULE 350).

The Board, having found that the content and methodology of the ARE prepared by NCARB is the most practicable and effective examination to test an applicant's qualifications for registration, adopts the ARE as the single, written and/or electronic examination for registration of architects in this state, and further adopts the following rules with respect thereto: (7-1-97)

- 01. When Taken.** The Board will cause the ARE, prepared by NCARB, to be administered to all applicants eligible, in accordance with the requirements of the Board, by their training and education to be examined for registration on dates scheduled by the NCARB. The Board shall cause repeat divisions of the ARE to be administered to qualified candidates on such dates as are scheduled by the NCARB. The ARE examination is a multiple part examination prepared by NCARB. Content of the examination in all of its sections is available from the Board or NCARB. (4-11-06)
- 02. Grading.** The ARE shall be graded in accordance with the methods and procedures recommended by the NCARB. To achieve a passing grade on the ARE, an applicant must receive a passing grade in each division. Grades from the individual division may not be averaged. Applicants will have unlimited opportunities to retake division which they fail except as set forth in these rules. The Board shall accept passing grades of computer administered divisions of the ARE as satisfying the requirements for said division(s) when such examinations are administered as prescribed by the NCARB. (4-11-06)
- 03. Passing (ARE).** To pass the ARE, an applicant must achieve a passing grade on each division. Effective July 1, 2006, and subject to certain conditions, a passing grade for any division of the ARE shall be valid for five (5) years, after which time the division must be retaken unless all divisions have been passed. The Board may allow a reasonable extension of such period in circumstances where completion of all divisions is prevented by a medical condition, active duty in military service, or other like causes. (4-11-06)
- 04. Transition.** The transitional rules are as follows: (4-11-06)
- a.** For applicants who have passed all divisions of the ARE by July, 2006 regardless of the time taken,

will have passed the ARE.

(4-11-06)

b. For applicants who have passed one (1) or more but not all divisions of the ARE by July 1, 2006, such applicants will have five (5) years to pass all remaining divisions. A passing grade for any remaining division shall be valid for five (5) years, after which time the division must be retaken if the remaining divisions have not been passed. The five (5) year period shall commence after July 1, 2006, on the date when the first passed division is administered. Any division passed prior to January 1, 2006, shall no longer remain valid if all remaining divisions have not been passed by July 1, 2014. (4-11-06)()

c. For applicants who have passed no divisions of the ARE by July 1, 2006, such applicants shall be governed by the ~~above~~ five (5) year requirement outlined in Subsection 350.04.b of these rules. The five (5) year period shall commence on the date when the first passed division is administered. (4-11-06)()

d. After July 1, 2014, approval to take the ARE shall terminate unless the applicant have passed or failed a division of the ARE within a period of five (5) years. Any applicant whose approval has so terminated must reapply for approval to take the ARE. ()

(BREAK IN CONTINUITY OF SECTIONS)

375. ARCHITECTURAL INTERN (RULE 375).

An individual may represent themselves as an architectural intern only under the following conditions: (3-15-02)

01. Supervision. Each architectural intern shall be employed by and work under the direct supervision of an Idaho licensed architect. (3-15-02)

02. IDP Enrollment. Each architectural intern shall be enrolled in the National Council of Architectural Registration Board's (NCARB) Intern Development Program (IDP) and shall maintain a record in good standing. (3-15-02)

03. Record. Each architectural intern shall possess either: (3-15-02)

a. A record with the NCARB establishing that IDP training units are being earned in any of the IDP training settings A, B, C, D or E; or (3-15-02)

b. A record establishing completion of all IDP training regulations as specified by NCARB. (3-15-02)

04. Prohibitions. An architectural intern shall not sign or seal any architectural plan, specification, or other document. An architectural intern shall not engage in the practice of architecture except under the direct supervision of an Idaho licensed architect. (3-15-02)

~~**05. Registration.** Each architectural intern shall register with the Board on forms provided by the Bureau of Occupational Licenses that shall include the names and addresses of their employer, IDP supervisor, and IDP mentor. (3-15-02)~~

376. -- 399. (RESERVED)

400. MISCELLANEOUS REQUIREMENTS (RULE 400).

01. Practice of Architecture. Idaho Law prohibits the practice of architecture by any unlicensed person or firm for any reason. (7-1-93)

02. Corporations. Corporations organized to do general business in the state of Idaho may not practice architecture in the state of Idaho. (7-1-93)

03. Firm Names. Firm names incorporating the use of names of unlicensed individuals are considered

in violation of Section 54-310, Idaho Code. A firm may continue to utilize the name of a retired or deceased formerly licensed architect so long as their unlicensed status is clearly disclosed. (7-1-93)()

(BREAK IN CONTINUITY OF SECTIONS)

410. USE OF AN ARCHITECT'S SEAL (RULE 410).

An architect's seal ~~shall~~ may be placed on all technical submissions prepared personally by the architect or prepared ~~by his staff~~ under the architect's ~~direction and personal supervision~~ responsible control or as otherwise allowed under the provisions of Section 54-308, Idaho Code. ~~An architect shall only seal those documents prepared by another licensed professional where the architect has both control over and detailed professional knowledge of the work or matters contained in said document.~~ Nothing in this rule shall limit an architect's responsibility to the owner for the work of other licensed professionals to the extent established by contract between the owner and architect.

(4-5-00)()

(BREAK IN CONTINUITY OF SECTIONS)

550. INTERPRETATIONS (RULE 550).

The following interpretation of laws relating to architecture in Idaho Code are hereby made by the Board. (7-1-93)

01. Reference to Building. Under Section 54-309, reference to any building wherein the safeguarding of life, health, and property is concerned means any building which public or private sector of population may use or any building into which the public or private sector of the population is invited either as spectators, visitor, student, guest, or employee, or any building where the private or public sector of the population conducts business. (7-1-93)

~~02. Administration of Construction Contracts.~~ ~~Under Section 54-309, paragraph 1-e, "Practice of Architecture," Section 54-305, paragraph 1-f, Grounds for Discipline, the words "Administration of Construction Contracts," in accordance with current knowledge and usage in the profession means "Administration of the Contract" as defined in the relevant Contract for Construction or Owner-Architect Agreement as published by the American Institute of Architects.~~ (4-5-00)

03. Professional Standards. Under Section 54-305, an architect shall be completely objective and truthful in all professional reports, statements, or testimony and shall include therein all relevant and pertinent information known to him. (7-1-93)

~~04. Direct Supervision Contracts.~~ ~~Direct supervision is that degree of supervision by a licensed architect overseeing the work of another whereby the architect has both control over, and detailed professional knowledge of, the work prepared under his or her supervision.~~ The primary contract or agreement involving the practice of architecture for the project must be between the an architect ~~of record~~ and the entity for which architectural services are provided, ~~not between the person being supervised and the entity for which the services are provided.~~ (7-1-98)()

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.04.01 - RULES OF THE IDAHO BOARD OF COSMETOLOGY

DOCKET NO. 24-0401-1201 (FEE RULE)

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 Section(s) 54-821, 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 October 17, 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:

The Idaho Board of Cosmetology made changes in its fee schedule during the 2012 session. This fee change in a separate section, is necessary to be consistent with the prior change. Changes were also made to the Board's law during the 2011 session that replaced the term "student instructor" with "instructor trainee". The proposed change updates the new title in the rules. Finally, changes are being made to clarify that animals allowed in a cosmetology shop must comply with the ADA (Americans with Disabilities Act) definitions.

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

The fee schedule in these rules was changed during the 2012 session and the ten dollar (\$10.00) fee shown in Section 176 is being eliminated to be consistent with the prior rule change.

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: There is no impact on general or dedicated funds as the fee is not being assessed.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because these rules are simple in nature, are necessary to comply with recent law or rule changes and were discussed in a noticed, open meeting of the Board of Cosmetology.

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 Cherie Simpson at (208) 334-3233.

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 October 24, 2012.

DATED this 30th day of August, 2012.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945 fax

THE FOLLOWING IS THE PROPOSED FEE TEXT FOR DOCKET NO. 24-0401-1201

176. APPLICATION ~~AND FEE~~ FOR PERMIT TO PRACTICE, DEMONSTRATE, OR TEACH COSMETOLOGY. (RULE 176).

Application ~~and fee~~ for permit to practice, demonstrate, or teach cosmetology shall be made by the sponsoring agent on forms furnished by the Board and must be received in that office at least seven (7) business days prior to the date of practice, demonstration, or instruction. The applicant shall include the name, address, license number, and the state, territory, possession, or country of licensure, ~~and a ten dollar (\$10) fee~~ for each person who shall practice, demonstrate, or instruct. ~~The permit fee shall not be required for those persons holding a current personal Idaho license issued by the Board.~~ Said practice, demonstration, or instruction shall not commence until the permit is received by the applicant. The permit shall be available for inspection by the Board or its agent at the location of said practice, demonstration, or instruction. The applicant shall be required to inform each person of the sanitary rules for shops and schools prior to said practice, demonstration, or instruction. If the application meets objective requirements established by the Board and the location where the permitted activities are to occur meets the sanitary requirements of Board Rule 800, the Bureau may issue the permit. (3-29-10)()

(BREAK IN CONTINUITY OF SECTIONS)

600. INSTRUCTOR RULES (RULE 600).

01. Requirements for Instructor License. (7-1-97)

a. Application for an instructor license shall be made on forms furnished by the Board and accompanied with the required fees. (7-1-97)

b. Section 54-805(2), Idaho Code, provides for twelve (12) semester college credit hours or equivalent, as approved by the Board, or successful completion of the examination required by Board rules. Credit hours must be obtained from the Education Department, Speech Communications Department or from the Psychology/Sociology Department and other credit at the discretion of the Board. (5-8-09)

c. Equivalent: (7-1-97)

i. Teaching seminars directed to cosmetology, nail technology, esthetics, or electrology must be approved by the Board. Fourteen (14) clock hours is equivalent to one (1) semester college credit hour in an approved seminar. Verification of satisfactory completion must be submitted to the Board for their approval. (3-30-01)

ii. Verified satisfactory teaching as a qualified instructor from another state three (3) of the previous five (5) years immediately prior to application. (7-1-97)

d. Experience Requirements for Instructor Applicant (Reference Section 54-805(2)(8), Idaho Code). Five (5) years experience is deemed "immediately preceding" if obtained during the seven (7) year period immediately preceding application for licensure. (7-1-97)

e. An electrologist with fewer than five (5) years' experience as a licensed electrologist must complete three (3) months, five hundred (500) hours of teacher's instruction in a cosmetology school approved to teach electrology as set forth in Subsection 550.08. (3-30-01)

f. Six (6) months of student teaching is considered to be one thousand (1,000) hours of instruction. Three (3) months of student teaching is considered to be five hundred (500) hours of instruction. (5-8-09)

02. Records Required. Records required of schools teaching ~~student~~ instructors ~~trainees~~ shall be maintained in accordance with the records required for schools of cosmetology. (3-30-01)()

- 03. Record of Instruction.** Records of the operations completed by each student shall be maintained of the following: (3-30-01)
- a.** Lesson Planning. (3-30-01)
 - b.** Audio Visual Aid Preparation. (3-30-01)
 - c.** Theory Class. (3-30-01)
 - d.** Practical Demonstrations. (3-30-01)
 - e.** Testing and Evaluation Theory. (3-30-01)
 - f.** Testing and Evaluation. (3-30-01)
 - g.** Clinic Floor Supervision. (3-30-01)

(BREAK IN CONTINUITY OF SECTIONS)

800. INSPECTION AND SANITARY RULES. (RULE 800).

Each cosmetological establishment and school of cosmetology and barber shop and school of barbering is subject to inspection by the Board or its designated agents in accordance with the following rules (reference Section 54-824, and 54-524, Idaho Code). Maximum possible score is indicated by number. (7-1-97)

01. Premises. All shops and schools shall be open to inspection during business hours to authorized agents of the Cosmetology/Barber Boards. Shops and schools must be separated from living areas by substantial walls and/or closable doors. All shops and schools must be maintained in an orderly manner and shall be heated, lighted, and ventilated so as to be safe and comfortable to the operators and patrons. Score - five (5) (7-1-97)

02. Floors, Walls, and Ceilings. Floors, walls, ceilings, furniture, and all other fixtures shall be kept clean and in good repair at all times. Score - five (5) (7-1-97)

03. Instrument Cleaning. All instruments used by operators shall be thoroughly cleaned after each use and prior to storage and/or sanitation. Score - fifteen (15) (7-1-97)

04. Instrument Sanitation. All instruments used by operators shall be sanitized after cleaning and prior to use on each patron, with a sanitizing agent registered by the Environmental Protection Agency as Hospital Grade or better. Every precaution shall be taken to prevent the transfer of disease-causing pathogens from person to person. Score - fifteen (15) (7-1-97)

05. Towels. Clean towels shall be used for each patron. A clean paper or cloth neckband shall be used to provide a sanitary barrier which shall be maintained between each patron's neck and all multi-use capes. Paper towels and paper neckstrips shall be disposed of after one (1) use. Score - five (5) (7-1-97)

06. Storage of Equipment. All instruments, towels, and linens shall be stored in clean, closed cabinets, drawers, and/or containers after they are cleaned and sanitized. Score - five (5) (7-1-97)

07. Dispensers. All solutions and/or compounds shall be clearly labeled, maintained, and dispensed in a sanitary manner. All single-use applicators shall be disposed of after one (1) use. Paraffins, waxes and all other solutions and/or compounds shall be maintained free of any foreign contaminants. Score - five (5) (7-1-99)

08. Uniforms. All clothing worn by operators shall be clean and washable. Score - five (5) (7-1-97)

09. Water Supply. Water supplies shall be from an approved source. Sufficient basins with hot and cold running water, approved drainage systems, soap and single-use towels shall be conveniently located within the work area. Every operator and/or student shall wash their hands prior to providing service to any patron. Score - ten (10) (7-1-97)

10. Toilet Facilities. Clean, adequate and convenient toilet facilities, located and accessible from within the building where the shop or school is located, shall be available for use by operators and patrons. A basin with hot and cold running water, approved drainage systems, soap and single-use towels shall be provided within said facilities. Score - ten (10) (7-1-97)

11. Safety. Each shop and school shall have a clearly identifiable first-aid kit readily accessible on the premises. No animals are allowed in shops or schools except ~~those animals~~ service dogs trained to ~~provide service to the physically impaired~~ do work or perform tasks for persons with disabilities. The definition of service animals and disabilities shall be as set forth in U.S. Department of Justice Regulations at 28 C.F. R. Section 36.104 effective March 15, 2011. Score - five (5) (~~7-1-97~~)()

12. Licenses and Certificates. All shops and schools must be licensed prior to their operation and must be under the direct supervision of a licensed operator. A current shop and/or school license, valid operator license(s) or permit(s), a copy of these rules, and a valid classification card shall be conspicuously displayed in the work area of each shop and/or school for the information of operators, Board agents, and the public in general. Score - fifteen (15) (7-1-97)

13. Classification of Shops and Schools. Following an inspection, each shop and school will receive classification as follows: 100% - 90% = "A"; 89% - 80% = "B"; 79% and below = "C." The "C" classification denotes an unacceptable rating and improvements are required within thirty (30) days for continued operation. (7-1-97)

COST/BENEFIT ANALYSIS FORM
Idaho Bureau of Occupational Licenses

Docket Number: 24-0401-1201

Agency Contact: Tana Cory
Phone: (208) 334-3233

Date Analysis Completed: 9/7/12

IDAPA Chapter Number and Title: IDAPA 24.04.01, "Rules of the Idaho Board of Cosmetology"

Fee Rule Status: Proposed

Instructions:

Section 67-5223(3), Idaho Code, adopted by the 2010 Legislature, requires that all proposed rules in which a fee or charge is imposed or increased must include a cost/benefit analysis of the rule change at the time the rule text is submitted for publication. This analysis needs to include an estimated cost to the agency to implement the rule and an estimated cost to be borne by citizens, or the private sector, or both. This statute change is effective July 1, 2010, and must be completed for fee rules published in the Idaho Administrative Bulletin after that date.

Cost/Benefit Analysis For This Rule Change:

Reduction in Fees

Section 54-818, Idaho Code allows for the setting of fees collected for licenses, renewals, establishment applications, and permits. Rule 176 is being amended to eliminate the fee for a permit to practice, demonstrate or teach cosmetology licensed pursuant to Title 54, Chapter 8, Idaho Code. Changes were made to the fee schedule in these rules during the 2012 session and the fee shown in section 176 is being updated to reflect the change. There is no fiscal impact on general or dedicated funds.