

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Monday, January 27, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Henderson, Vice Chairman Thompson, Representatives Collins, Crane, Palmer, Barbieri, Batt, Agidius, Clow, Hixon, Kauffman, Monks, Morse, Stevenson, Youngblood, Smith, Rusche, Gannon

**ABSENT/  
EXCUSED:** Rep. Collins

**GUESTS:** Tom Donovan, Idaho Department of Insurance; Mark Larson, State Fire Marshall; Keith Simila, Idaho Board of Professional Engineers and Land Surveyors; Jeremy Chou, Givens Pursley

**Chairman Henderson** called the meeting to order at 1:30 p.m.

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the meeting of the January 21, 2014 meeting. **Motion carried by voice vote.**

**MOTION:** **Rep. Morse** made a motion to approve the minutes of the Morse Administrative Rules Subcommittee meeting of January 15, 2014. **Motion carried by voice vote.**

**MOTION:** **Rep. Agidius** made a motion to approve the minutes of the Agidius Administrative Rules Subcommittee meeting of January 16, 2014. **Motion carried by voice vote.**

**MOTION:** **Rep. Youngblood** made a motion to approve the minutes of the Hixon Administrative Rules Subcommittee meeting of January 23, 2014. **Motion carried by voice vote.**

**Rep. Morse** reviewed the findings of the Administrative Rules Subcommittee as presented in his letter of January 15, 2014 to the Committee. He said these rules pertain to the Board of Licensure of Professional Engineers and Land Surveyors, the Department of Insurance, and the Real Estate Commission. He said it is the recommendation to the Subcommittee that **Docket Nos. 10-0101-1301, 10-0102-1301, 10-0104-1301, 18-0104-1301, 18-0123-1301, 18-0150-1301, 33-0101-1301** be approved.

In response to questions from the Committee, **Rep. Morse** said there is no known opposition to adoption of the 2012 Fire Code from the building industry.

**MOTION:** **Rep. Morse** made a motion to accept the report of the Morse Administrative Rules Subcommittee. **Motion carried by voice vote.**

**Rep. Agidius** reviewed the findings of the Agidius Administrative Rules Subcommittee as presented in her letter of January 16, 2014 to the Committee. She said rules assigned to the Subcommittee pertain to the Bureau of Occupational Licenses and the Board of Geologists. She said it is the recommendation of the Subcommittee that **Docket Nos. 14-0101-1301, 24-0201-1301, 24-0801-1301, 24-1801-1301, 24-2501-1301, 24-0401-1301, 24-0701-1301** be approved.

**MOTION:** **Rep. Agidius** made a motion to accept the report of the Agidius Administrative Rules Subcommittee. **Motion carried by voice vote.**

**Rep. Hixon** reviewed the findings of the Hixon Administrative Rules Subcommittee as presented in his letter of January 23, 2014 to the Committee. He said there were some contentious rules ironed out during the negotiated rule making process, however a consensus agreement was reached with little opposition. He said rules assigned to the Subcommittee pertain to the Division of Building Safety. He said it is the recommendation of the Subcommittee that **Docket Nos. 07-0106-1301, 07-0110-1301, 07-0301-1301, 07-0301-1302, 07-0301-1303, 07-0301-1304, 07-0311-1301, 07-0501-1301, 07-0701-1301** be approved.

**MOTION:** **Rep. Hixon** made a motion to accept the report of the Hixon Administrative Rules Subcommittee. **Motion carried by voice vote.**

**RS 22617:** **Rep. Kauffman** presented **RS 22617** relating to professional engineering and the application of engineering principals and data. He said this legislation amends **Section 54-1202** to include "design coordination" as a defined task of professional engineers. He explained a recent state project required coordination of many engineering disciplines however the published Request for Proposals (RFP) offered the opportunity to coordinate the work of these engineering disciplines to unlicensed parties. The Board of Professional Engineers and Land Surveyors was troubled by the RFP as, at some point during the project, a licensed engineer's stamp is required for project coordination. He said the new legislation codifies existing practices to include the term "design coordination" in the purview of a licensed professional engineer. He said representatives of the American Council of Engineering Companies of Idaho (ACEC Idaho), American Institute of Architects (AIA), and Idaho Associated General Contractors (AGC) were consulted regarding the amendment. He said there is no known opposition.

**Jeremy Chou**, Givens Pursley, was introduced for technical questions. He said the term "design coordination" means coordinating the work of contributing engineering disciplines such as civil engineering, structural engineering, and geotechnical engineering for a particular project. He said the Project Engineer or Project Manager who coordinates the work of these engineers should, himself, be a licensed engineer. He said the project mentioned by **Rep. Kauffman** did not encounter difficulties as the contract was awarded to a company which employs licensed engineers as project managers. He said employing a project manager or project engineer to coordinate the work of contributing disciplines is a standard practice and this legislation adds that function to the list of functions requiring a licensed engineer.

**MOTION:** **Rep. Thompson** made a motion to introduce **RS 22617**.

**SUBSTITUTE MOTION:** **Rep. Barbieri** made a motion to return **RS 22617** to the sponsor for a definition of the term "design coordination" to be included.

**Rep. Youngblood** spoke **in opposition** to the substitute motion. He said the term " design coordination" is a function rather than a position.

**MOTION WITHDRAWN:** **Rep. Barbieri** withdrew his substitute motion to return **RS 22617** to the sponsor for a definition of the term "design coordination" to be included.

**VOTE ON MOTION:** **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 1:59 p.m

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Representative Henderson  
Chair

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Catherine Costner  
Secretary