

MINUTES
HOUSE BUSINESS COMMITTEE
TROY SUBCOMMITTEE
Administrative Rules

DATE: Monday, January 23, 2017
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Troy, Representatives Crane, Thompson, Hixon, Smith (Nye)
**ABSENT/
EXCUSED:** None
GUESTS:

Arlan Smith, Larry Jeffres, Warren Wing, Galen Hamilton, DBS; Jeff Fitzlof, UL; Knute Sandahl, DOI/SFM; Jason Blais, Bill Van DeGrift, Daryl DeGrange, City of Boise; Terri Ottens, Juli Hart, IDABO; Roger Seiber, Association of Loggers; Bob Scott, Electrical Board; Scott Calhoun, ID REA

Chairman Troy called the meeting to order at 1:29 p.m.

The Chairman welcomed **Rep. Nye** to the committee. Rep. Nye was assigned to proofread the minutes.

DOCKET NO. 07-0301-1601: **Arlan Smith**, Division of Building Safety, presented **Docket No. 07-0301-1601**. Mr. Smith stated the proposed rule does not change the codes that apply to buildings containing one or two dwelling units. There are two energy conservation code amendments and format changes for clarity.

MOTION: **Rep. Thompson** made a motion to recommend the full committee approve **Docket No. 07-0301-1601**. **Motion carried by voice vote.**

DOCKET NO. 07-0501-1601: **Ron Whitney**, Deputy Director, Division of Building Safety, presented **Docket No. 07-0501-1601**. The proposed rule clarifies a public works contractor licensed in the specialty category of Instrumentation and Controls must also possess the appropriate underlying electrical license and a public works electrical specialty license.

Rep. Crane declared Rule 38 stating a possible conflict of interest and that he would be voting.

MOTION: **Rep. Crane** made a motion to reject **Docket No. 07-0501-1601**. **Motion carried by voice vote.**

DOCKET NO. 07-0701-1601: **John Nielsen**, Division of Building Safety, presented **Docket No. 07-0701-1601**. The proposed rule redefines electric and gas conveyor ovens as light-duty cooking appliances and defines the approved hood for those ovens. The rule also gives the Division the ability to produce written interpretations of the rules to provide clarity or direction to those making HVAC installations.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 07-0701-1601**. **Motion carried by voice vote.**

DOCKET NO. 07-0701-1602: **John Nielsen**, Division of Building Safety, presented **Docket No. 07-0701-1602**. If adopted, this pending fee rule will address a critical shortage of skilled HVAC workers by changing the schooling required to qualify to take the journeyman's exam. The proposed rule allows a permit holder to transfer an HVAC permit to another eligible person and allows a permit holder to receive a refund or partial refund of the permit fee in certain circumstances.

MOTION: **Rep. Crane** made a motion to recommend the full committee approve **Docket No. 07-0701-1602. Motion carried by voice vote.**

DOCKET NO. 07-0812-1601: **Larry Jeffres**, Division of Building Safety, presented **Docket No. 07-0812-1601.** The proposed rule makes minor editorial revisions to several references and other rule provisions related to safe logging truck transportation.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 07-0812-1601. Motion carried by voice vote.**

DOCKET NO. 07-0813-1601: **Larry Jeffres**, Division of Building Safety, presented **Docket No. 07-0813-1601.** The proposed rule updates and clarifies the rules concerning the Idaho minimum safety standards and practice for logging related to log dumps, landing, log handling equipment, loading and unloading booms, log ponds, rafting, towing, still booms, boom sticks and foot logs, pond boats, towboats and trailer loading hoists.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 07-0813-1601. Motion carried by voice vote.**

DOCKET NO. 07-0814-1601: **Larry Jeffres**, Division of Building Safety, presented **Docket No. 07-0814-1601.** The proposed rule makes minor editorial revisions to several requirements related to helicopter logging operations.

MOTION: **Rep. Thompson** made a motion to recommend the full committee approve **Docket No. 07-0814-1601. Motion carried by voice vote.**

DOCKET NO. 07-0815-1601: **Larry Jeffres**, Division of Building Safety, presented **Docket No. 07-0815-1601.** The proposed rule clarifies and updates commonly used logging terms.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 07-0815-1601. Motion carried by voice vote.**

DOCKET NO. 07-0816-1601: **Larry Jeffres**, Division of Building Safety, presented **Docket No. 07-0816-1601.** The proposed rule clarifies the employer is responsible for reporting all in-patient hospitalization, amputation, or the loss of an eye for any employee to the Occupational Safety and Health Administration (OSHA) and the Division of Building Safety Logging Safety Program within twenty-four hours.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 07-0816-1601.**

SUBSTITUTE MOTION: **Rep. Crane** made a substitute motion to recommend the full committee approve **Docket No. 07-0816-1601** with the exception of Section .010, Subsection .01, Paragraph .a.

MOTION: **Rep. Hixon** withdrew his motion.

VOTE ON SUBSTITUTE MOTION: **Chairman Troy** called for a vote on the substitute motion to recommend the full committee approve **Docket No. 07-0816-1601** with the exception of Section .010, Subsection .01, Paragraph .a. **Motion carried by voice vote.**

DOCKET NO. 07-1001-1601: **Ron Whitney**, Division of Building Safety, presented **Docket No. 07-1001-1601.** The proposed fee rule imposes a fee of ten cents on the owner of an underground facility required to participate and cooperate with the one-number notification system each time the owner receives notice that a proposed excavation may occur within the area of their underground facility.

MOTION: **Rep. Thompson** made a motion to recommend the full committee approve **Docket No. 07-1001-1601. Motion carried by voice vote.** **Rep. Crane** requested he be recorded as voting **NAY.**

DOCKET NO. 24-0101-1601 **Mitch Toryanski**, Bureau of Occupational Licenses, presented **Docket No. 24-0101-1601**. The proposed change in this rule provides the board more flexibility when deciding who can sit for the Architectural Registration Exam, clarifies license renewal and reinstatement requirements, and removes the requirement that legal services be provided to the board by the Attorney General.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 24-0101-1601**. **Motion carried by voice vote.**

DOCKET NO. 24-0801-1601 **Mitch Toryanski**, Bureau of Occupational Licenses, presented **Docket No. 24-0801-1601**. The proposed rule changes the limit of time a resident trainee mortician can hold a permit from two years to three years.

MOTION: **Rep. Crane** made a motion to recommend the full committee approve **Docket No. 24-0801-1601**. **Motion carried by voice vote.**

DOCKET NO. 24-1801-1601: **Mitch Toryanski**, Bureau of Occupational Licenses, presented **Docket No. 24-1801-1601**. The proposed extension of this temporary rule governs rules of conduct and code of ethics for licensed real estate appraisers as well as continuing education requirements.

MOTION: **Rep. Thompson** made a motion to recommend the full committee approve **Docket No. 24-1801-1601**. **Motion carried by voice vote.**

DOCKET NO. 24-1801-1602: **Mitch Toryanski**, Bureau of Occupational Licenses, presented **Docket No. 24-1801-1602**. The proposed fee rule of the Real Estate Appraiser Board establishes fees which will be deposited in the Bureau of Occupational Licenses dedicated fund. The fees are for original AMC (Appraisal Management Companies) registration and registration renewal. The proposed rule clarifies the qualifications for appraiser licensure and consolidates registered trainee supervisor requirements. In answer to questions, **Scott Calhoun**, Real Estate Appraiser Board, stated there must be 15 or more members to form an AMC. Fees collected are required to pass through to a federal agency or instrumentality. He also stated an Associate degree or higher is a federal requirement.

MOTION: **Rep. Crane** made a motion to send **Docket No. 24-1801-1602** to the full committee without recommendation for further discussion. **Motion carried by voice vote.**

DOCKET NO. 24-2201-1601: **Mitch Toryanski**, Bureau of Occupational Licenses, presented **Docket No. 24-2201-1601**. The proposed rule includes the latest safety protocols used in most states. It includes minimum requirements for safe handling during LP-Gas transfer, including operator qualifications, maximum filling quantity in containers, and pre-transfer inspections to ensure containers are fit for continued service.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 24-2201-1601**. **Motion carried by voice vote.**

DOCKET NO. 24-2501-1601: **Mitch Troyanski**, Bureau of Occupational Licenses, presented **Docket No. 24-2501-1601**. The proposed amendment to the rules clarifies the list of current instructors must be submitted for original and reinstatement applications. The list must be kept current and made available to the Board upon request. It clarifies while a Driving Business is allowed to use third party providers for on-line classroom instruction, the licensee is responsible for ensuring the content meets the requirements approved by the Board.

MOTION: **Rep. Hixon** made a motion to recommend the full committee approve **Docket No. 24-2501-1601**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:51 p.m.

Representative Troy
Chair

Joyce McKenzie
Secretary