

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Monday, February 21, 2022

**TIME:** 3:00 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway (Hancock), Mitchell, Shepherd, Berch, Green

**ABSENT/  
EXCUSED:** Rep. Adams

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Vice Chairman Furniss** called the meeting to order at 3:10 p.m.

**DOCKET NO. 24-0000-2100:** **Tim Frost**, Deputy Administrator, Division of Occupational and Professional Licensing (DOPL), presented **Pending Rule Docket No. 24-0000-2100**. He said DOPL's approach to the omnibus was in line with the Red Tape Reduction Act and clarified he would go over chapters with changes. Redundant and unnecessary language was removed to simplify all of the Rules. All other chapters have no changes and have been previously reviewed and approved by the legislature.

**IDAPA 24.39.60 Uniform School Building Safety - Mr. Frost** said there was technical cleanup on legal authority and four duplicative definitions were removed.

**IDAPA 24.39.80 Logging Safety - Mr. Frost** said the term, "qualified person" was added to ensure safety inspections for equipment is being performed by an individual with the expertise to do so. Language was removed which does not assist with the enforcement of safe practices. Safety practices are addressed elsewhere. He also stated picture diagrams were removed because the Rules do not require use of the systems pictured.

**Shawn Keough**, Executive Director, Association of Logging Contractors, spoke **in support of Docket No. 24-0000-2100**. She said DOPL worked closely with the Association to make the Rules more user friendly for those who use them daily. An advisory board has been established and it supports the Rule changes.

In response to questions, **Mr. Frost** stated a "qualified person" is broadly defined and does not require a college degree. The terminology already exists in other parts of the Rule in relation to conducting inspections. **Rep. Shepherd** has spoken to members of the industry and they are supportive of the current language. Rep. Shepherd has reservations about future changes in the definition of "qualified person".

**MOTION:** **Rep. DeMordaunt** made a motion to approve **Docket No. 24-0000-2100**. **Motion carried by voice vote. Rep. Crane** requested to be recorded as voting **NAY**.

**DOCKET NO. 24-0000-2100F:** **Mr. Frost** presented **Docket No. 24-0000-2100F**. He stated the approach to the omnibus was in line with the Red Tape Reduction Act and clarified he would go over chapters with changes. Redundant and unnecessary language was removed to simplify all the Rules. All other chapters have no changes and have been previously reviewed and approved by the legislature.

**IDAPA 24.05.01 Drinking Water and Wastewater - Mr. Frost** indicated an apprenticeship program model was added for individuals obtaining a Class III operator's license. The Idaho Rural Water Association requested the ability to provide additional education options outside of a two-year college experience.

**IDAPA 24.32.01 Idaho Board of Professional Engineers and Professional Land Surveyors - Mr. Frost** said language was removed relating to public statements because the Board does not have the statutory authority or jurisdiction over public statements. New language was added for surveying practices, adopting a "State Plan Coordinate" system to describe all Idaho land. He also said language was simplified regulating professional development and continuing education (CE). He noted NCEES is a standard and not a continuing education provider, therefore not limiting CE providers.

**IDAPA 24.39.10 ID Electrical Board - Mr. Frost** said some changes include permits are valid for 365 days beyond purchase. The Rule allows for 365 days to become licensed after passing the required exams. Contractor and Limited Contractor Rules were combined and maintain a minimum exam score of 75%, to ensure reciprocal agreements with other states are not in jeopardy. In addition, the Electrical Board may impose a civil penalty on an individual who fails to request an electrical inspection after performing electrical installations.

In response to questions, **Mr. Frost** said there is an apprentice to journeyman ratio of 1 to 4. Due to this ratio, he is not aware of increased electrical fires. DOPL hosted nine (9) public listening sessions and ratios were a topic of discussion. He stated while there were varying opinions, the majority want the Rule to remain as printed.

**Shelley Roberts**, CEO, Idaho Rural Water Association, spoke **in support** of apprenticeships. She said it provides an avenue to further employees in the field without requiring them to go to college.

**Marty Durand**, Legislative Council for the Idaho Building Trades Council, spoke **in support** of this chapter. She encouraged the committee not to make any changes until next year. In the coming year, more listening tours will be conducted and there will be more input.

**24.39.20 Plumbing - Mr. Frost** stated the mobile home plumbing specialty license was removed from the Rule as it is exempt from licensure in Idaho Code.

**24.39.30 Building Safety (Building Code Rules) - Mr. Frost** said language was added for the installation and use of "Mass Timber" products from the 2021 International Building Code. Amendments were also added to the Energy Code, addressing the global supply shortage of insulated flexible ductwork and when duct insulation is required in residential structures.

**Jonathan Oppenheimer** of the Idaho Conservation League spoke **in support** of the Building Code Rules, as presented. He noted some amendments were drafted in response to supply shortages and is pleased with the ability for agencies to pass Temporary Rules.

**24.39.31 Factory Built Structures - Mr. Frost** reported four (4) Rule Chapters have been consolidated into one chapter including the following sub-chapters: Modular Building, Manufactured / Mobile Home Licensing, Manufactured Home Consumer Complaint and Dispute Resolution Process and Manufactured or Mobile Home Installations. The scope of the Rule chapter was revised so it will apply to all sub-chapters.

**24.39.70 Installation of Heating, Ventilation, and Air Conditioning (HVAC) Systems - Mr. Frost** said many antiquated items were removed. Other items of note include modification of language for Specialty Contractor and Contractor requirements to ensure consistent enforcement and applicability. Language was also modified eliminating the in-state versus out-of-state experience requirements to qualify for the Contractor and Journeyman licenses, ensuring the experience requirements for Idaho applicants is equal to that of those coming from out of state.

In response to questions, **Mr. Frost** clarified refunds have been removed. A review in 2022 will address how permit refunds will be handled. Currently, DOPL has the ability to make refunds on a case by case basis.

**MOTION:** **Rep. Berch** made a motion to approve **Docket No. 24-0000-2100F**. **Motion carried by voice vote.** **Rep. Palmer** requested to be recorded as voting **NAY**.

**MOTION:** **Rep. Berch** made a motion to approve the minute from February 3, 2022. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 4:20 p.m.

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Representative Dixon  
Chair

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Kelly Staskey  
Secretary