

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Monday, February 27, 2023

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** None

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

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

**MOTION:** **Rep. Lanting** made a motion to approve the minutes of the February 1, 2023 meeting. **Motion carried by voice vote.**

**Chairman Clow** turned the gavel over to **Vice Chairman Ehlers.**

**DOCKET NO.  
24-3910-2201:** **Tim Frost**, Division Deputy Administrator of Idaho Department of Professional and Occupational Licenses (IDOPL) explained the proposed fee rule changes in **DOCKET NO. 24-3910-2201** were to consolidate, simplify, clarify, and align language with statute. The electrical board also adopted the 2020 National Electrical Code (NEC) with amendments.

In response to committee questions, **Mr. Frost** explained the red-line rule chapter presented last year was approved by both the House Business Committee and Senate Commerce and Human Resources Committee and was authorized as a temporary fee rule. However, the legislature as a whole did not make a concurrent resolution on the rule chapter, therefor it went away. He also shared virtual inspections are not defined in law or rule and currently there are no commercial virtual inspections permitted. He further explained statute requires a final inspection be performed. Mr. Frost also shared there is ambiguity in statute prior to 2008 regarding master electricians and journeymen. He also explained there is no journeyman-to-apprentice ratio in statute of rule for the HVAC or plumbing trades nor is there a general contractor-to-subcontractor ratio in statute. Mr. Frost also shared the board's rule-making authority is derived from statute and explained the process for the board to adopt a new code cycle as well as the rationale for rule changes and NEC amendments.

**Chairman Clow** opened the legislation to public testimony.

Testifying **in support** of approving **DOCKET NO. 24-3910-2201**, **Kelly Lamp** representing Idaho National Electrical Contractors Association and the Idaho State Code Collaborative committee shared his experience with the negotiated rule-making process and the members of industry who participated. **Larry Geyer** representing Quality Electric, spoke **in support** of approving **DOCKET NO. 24-3910-2201** without change. **Miles Whittington**, representing Southwest Idaho Electrical Training Center, testified **in support** of **DOCKET NO. 24-3910-2201**, explaining the value of learning under direct supervision of a mentor. **Mark Zaleski**, a journeyman electrician spoke **in support** of approving **DOCKET NO. 24-3910-2201**, explaining electrical codes encourage safety in the industry. **Jason Hudson** representing the Idaho AFL-CIO testified **in support** of **DOCKET NO. 24-3910-2201** explaining he attended the majority of the rule meetings and says a balance has been struck.

**Tom Brown** owner of B & B Electric and former Idaho Electrical Board member designated as a journeyman for forty-six years and a contractor for forty-two years, spoke **in opposition** of a need for a master electrician designation. He shared he is **in support** of a ratio, however, it needs to be based on the experience level of the apprentice noting a first-year apprentice needs more supervision than a four-year apprentice.

In his testimony **in opposition** of approving **DOCKET NO. 24-3910-2201**, **Steve Kren** shared how difficult it has been to keep enough employees and believes the ratio change would increase the challenge. He suggested allowing contractors to decide what is a safe ratio for the specific job conditions. He also recommended staying with the 2017 National Electrical Code and work towards updating to the 2023 NEC next year.

In response to committee questions, **Mr. Kren** shared about the push back received from inspectors at board meetings when he made amendment suggestions and was concerned about the impact this would have in his business.

**MOTION:** **Chairman Clow** made a motion to hold **DOCKET NO. 24-3910-2201** in committee at the call of the chair. **Motion carried by voice vote.** **Rep. Rubel** requested she be recorded as voting **NAY**.

**Vice Chairman Ehlers** turned the gavel over to **Chairman Clow**.

**H 142:** **Rep. Barbieri** explained the purpose of **H 142** is to add catalytic converters to the Idaho Scrap Dealers Act in order to help combat the rising rate of theft of catalytic converters in the state. It requires scrap dealers to document record transactions of certain scrap metal purchases. **Rep. Barbieri** introduced **Melinda Merrill** from Euguren Merrill Public Policy Firm representing United Metals Recycling. She explained their client came to them regarding the increase of catalytic converter thefts in Idaho. She further shared they worked with industry and the Sheriff's Association to draft the legislation.

**Chairman Clow** opened the legislation to public testimony.

**Brady Aston** representing Enterprise Car Rentals testified **in support** of **H 142**. He shared Enterprise Car Rentals saw a decrease in theft after similar legislation was enacted in Utah. **Tom Neal** from United Metals Recycling spoke **in support** of **H 142**. He explained why catalytic converters have value and indicated enacting this legislation would give law enforcement a tool to help reduce their theft.

**Julie Hart** from Association of Idaho Cities spoke **in opposition** to **H 142** stating while not opposed to adding catalytic converters to the Idaho Scrap Dealers Act, they have concerns regarding the section which removes local control.

**Chairman Clow** closed the legislation to public testimony.

In response to committee questions, **Melinda Merrill** shared it is important to have uniformity across the state because catalytic converters are being stolen and transported across county lines for disposal. She further shared the legislation will give law enforcement a tool to help combat catalytic converter theft. **Julie Hart** shared concerns regarding specific language in **H 142** and how it would impact current local regulation of the sale and recycling of scrap metal. Melinda Merrill shared they are amenable to amending the language to address Association of Idaho Cities' concerns.

**MOTION:** **Rep. Berch** made a motion to hold **H 142** in committee until no sooner than March 3, 2023 to allow the parties involved, time to make amendments.

**SUBSTITUTE MOTION:** **Rep. Crane(13)** made a substitute motion to send **H 142** to General Orders.

**UNANIMOUS CONSENT REQUEST:** **Rep. Berch** requested, without objection, unanimous consent to withdraw his motion.

**VOTE ON MOTION:** **Motion carried by voice vote.** Rep. Barbieri will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:29 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary