



Terri Kondeff
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Senators FOREMAN, Lenney, Ward-Engelking and,
Representatives CLOW, Crane, Berch

FROM: Matt Drake - Division Manager

DATE: January 06, 2025

SUBJECT: Temporary Rule

IDAPA 24.39.50 - Rules of the Public Works Contractors License Board - Adoption of Temporary Rule - Docket No. 24-3950-2501

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Matt Drake at the Legislative Services Office at (208) 334-4845. Thank you.

Attachment: Temporary Rule

Paul Headlee, Deputy Director Matt Drake, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
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IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.50 – RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD

DOCKET NO. 24-3950-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 54-1904, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The amendment to the fee table found in Rule 400 will allow the Board to quickly adjust fees downwards to address the currently high cash balance, while reducing the cost of licensure for licensees.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing fees for the Idaho Public Works Contractors Board reduces additional costs on industry and licensees. These reductions in fees will be a benefit to licensees and industry in the state of Idaho.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 400 pursuant to Section 54-1904, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead “Not more than” language was added to all items on the fee table, capping fees at their current level while allowing the Board greater flexibility in reducing fees.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3950-2501
(Only Those Sections With Amendments Are Shown.)

24.39.50 – RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD

400. FEES.

01. Public Works Contractor.

| License Class | Initial Fee (Not to exceed) | Renewal Fee (Not to exceed) |
|----------------------|--|--|
| Unlimited | \$550 | \$440 |
| AAA | \$450 | \$360 |
| AA | \$350 | \$280 |
| A | \$250 | \$160 |
| B | \$150 | \$120 |
| CC | \$125 | \$100 |
| C | \$100 | \$80 |
| D | \$50 | \$40 |

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02. Construction Manager:

| License Activity | Fee (Not to exceed) |
|--------------------------|--------------------------------|
| Initial Licensing | \$200 |
| License Renewal | \$200 |
| Inactive License | \$50 |
| License Reinstatement | \$200 |
| Certificate of Authority | \$100 |

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