



Eric Milstead
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Senators PATRICK, Agenbroad, Ward-Engelking and,
Representatives DIXON, DeMordaunt, Smith

FROM: Matt Drake - Legislative Drafting Attorney

DATE: August 05, 2020

SUBJECT: Temporary Rule

IDAPA 24.21.01 - Notice of Omnibus Rulemaking (Fee Rule) - Amendment to Temporary Rule -
Docket No. 24-2101-2000F

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

Kristin Ford, Manager
Research & Legislation

Paul Headlee, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.21.01 – RULES OF THE IDAHO STATE CONTRACTORS BOARD

DOCKET NO. 24-2101-2000F (FEE RULE)

NOTICE OF OMNIBUS RULEMAKING – AMENDMENT TO TEMPORARY RULE

EFFECTIVE DATE: A temporary rule was adopted under this docket number in the April 15, 2020 Idaho Administrative Bulletin, [Vol. 20-4SE, pages 1698-1701](#). The effective date of the amendment to the temporary rule is July 1, 2020.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has amended a temporary rule. The action is authorized pursuant to Section 54-5206(1), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for amending the temporary rule and a statement of any change between the text of the temporary rule and text of the amended temporary rule with an explanation for any changes:

The temporary rule allows registered contractors the option to place their registration on inactive status, relieving the registrant from the requirement to maintain insurance during this period. The fees in the rule are the fees a contractor will pay to obtain an inactive registration and to move an inactive registration to active status.

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:

These fees will provide a benefit for registrants who desire to move their registration from active status to inactive status. While a registrant is on inactive status, they are not required to maintain the mandatory insurance.

FEE SUMMARY: Pursuant to Section 67-5226(2), 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:

These fees will assist in implementing House Bill 420. The fees are an initial inactive registration fee and then a fee to re-activate a registration. The initial inactive fee was set at not to exceed \$25.00 and the fee to move from inactive to active was set at “the difference between the inactive fee and active license renewal fee.”

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the amendments to the temporary rule, contact Rob McQuade at (208) 334-3233.

Dated this 22nd day of July, 2020.

Susan Buxton
Interim Administrator
Division of Occupational and Professional Licenses
700 West State Street
PO Box 83720
Boise, ID 83720-0063
(208) 334-3233

THE FOLLOWING IS THE TEXT OF THE AMENDED TEMPORARY RULE FOR OMNIBUS DOCKET NO. 24-2101-2000F

The original text of the temporary rule was published in the Idaho Administrative Special Edition Bulletin, [Volume 20-4SE, April 15, 2020, pages 1698 through 1701](#).

(Only those sections or subsections that have changed from the original text are printed in this Bulletin following this notice.)

100. ORGANIZATION.

01. Meetings. The Board meets not less than once during each calendar quarter and at such times and places as designated by the Board or the Chairman of the Board. Special meetings may be held at the call of the Chairman, and all members will be notified in writing. (3-20-20)T

a. A minimum of three (3) Board members constitutes a quorum and is required for the transaction of business. A majority vote of the Board members present at a meeting is considered the action of the Board as a whole. (3-20-20)T

02. Organization of the Board. At the first meeting of each fiscal year, the Board elects from its members a Chairman, who assumes the duty of the office immediately upon such selection. (3-20-20)T

~~**a.** The Chairman, when present, presides at all meetings, appoints with the consent of the Board, all committees, and otherwise performs all duties pertaining to the office of Chairman. The Chairman will be an ex-officio member of all committees. (3-20-20)T~~

101. -- 149. (RESERVED)

150. APPLICATION.

~~Each applicant for registration must submit a complete application on applications forms approved by the board together with the required fee(s).~~ The applicant must provide or facilitate the provision of any supplemental third party documents that may be required. Applications on file with the Board where an applicant has failed to respond to a Board request or where the applications have lacked activity for twelve (12) consecutive months are deemed denied and will be terminated upon thirty (30) days written notice unless good cause is established to the Board.

~~(3-20-20)T~~(7-1-20)T

(BREAK IN CONTINUITY OF SECTIONS)

175. FEES.

Fees are non-refundable:

FEE TYPE	AMOUNT (Not to Exceed)
Application (includes original registration)	\$50
Reciprocal	\$50
Renewal	\$50
Reinstatement	\$35
<u>Inactive</u>	<u>\$25</u>
<u>Inactive to Active License</u>	<u>The difference between the inactive fee and active license renewal fee</u>

~~(3-20-20)T~~(7-1-20)T