

MINUTES
**HOUSE BUSINESS COMMITTEE
MANWARING SUBCOMMITTEE**

DATE: Wednesday, January 17, 2018
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Manwaring, Representatives Collins, Palmer, Dixon, Toone
**ABSENT/
EXCUSED:** Rep. Palmer
GUESTS: Warren Wing, Arlan Smith, John Nielsen, Ron Whitney, Gary Barnes, Larry Jeffres, Division of Building Safety; Marty Durand, Building Trades; Brady Aston, IDABO; Jerry Deckard, A.L.C.; Jason Blais, Daryl DeGrange, City of Boise; Jay Shaw, Admin. Rules.

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

DOCKET NO. 07-0106-1701: **Warren Wing**, Electrical Program Manager for the Division of Building Safety, presented **Docket No. 07-0106-1701**. This rule governs the use, inspection and safety of submersible well pumps in Idaho's lakes, ponds and streams. The rule amends the electrical code relating to installation and safety requirements of submersible well pumps in water where swimming and marine activities take place.

MOTION: **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 07-0106-1701. Motion carried by voice vote.**

DOCKET NO. 07-0204-1701: **John Nielsen**, Plumbing/HVAC Program Manager for the Division of Building Safety, presented **Docket No. 07-0204-1701**. Mr. Nielsen stated this rule creates clarity by eliminating the need for plumbers and inspectors to reference the Cross Connection Control Manual. The Idaho State Plumbing Code (ISPC) already contains provisions related to backflow installations and the industry would prefer to reference only one manual, the ISPC.

MOTION: **Rep. Toone** made a motion to recommend the full committee approve **Docket No. 07-0204-1701. Motion carried by voice vote.**

DOCKET NO. 07-0206-1701: **John Nielsen**, presented **Docket No. 07-0206-1701**. This rule amends the Idaho State Plumbing Code to remove a requirement that sanitary yard hydrants be protected by a non-removable bibb-type backflow preventer. The rule eliminates the need for installing an addition tracer wire in a trench in situations where the electrical wiring for the pump is also installed in the same trench.

MOTION: **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 07-0206-1701. Motion carried by voice vote.**

- DOCKET NO. 07-0301-1701:** **Arlan Smith**, Building Program Manager for the Division of Building Safety, presented **Docket No. 07-0301-1701**. Mr. Smith stated this rule brings into compliance with other standards, the splicing of reinforced masonry and construction by limiting the required lap splices for allowable stress design. This rule adds provisions addressing certain aspects of "Tiny Homes" including ceiling height, lofts, stairways and ladders, as well as escape and rescue roof access windows. In answer to committee questions, Mr. Smith said the tiny home provisions contained in this rule would be added as an appendix to the 2012 International Residential Code, and may be adopted by local building code jurisdictions to address the installation of such homes. Mr. Smith also stated that some would represent this as being more restrictive than the current code. Some would say it relieves code requirements and makes it easier to build tiny homes depending on how the code is applied and interpreted by the building official. Local jurisdictions would not have to adopt the appendix. This is something that has gone to the International Code Council and may appear as a future standard in the International Residential Code (IRC). It would be considered an amendment to the Idaho Residential Building Code.
- Chairman Manwaring** questioned whether the rulemaking is permitted under Idaho Code 39-4109 (3) if the standards are considered more restrictive than those published by the International Code Council.
- MOTION:** **Rep. Dixon** made a motion to send **Docket No. 07-0301-1701** to the full committee without recommendation for further discussion. **Motion carried by voice vote.**
- DOCKET NO. 07-0311-1701:** **Ron Whitney**, Deputy Administrator for the Division of Building Safety, presented **Docket No. 07-0311-1701**. Mr. Whitney stated this rule changes the name of the Manufactured Housing Board to the Factory Built Structures Board. The rule also establishes the amount of continuing education credits in an amount consistent with federal licensing requirements. This new requirement reflects a more practical and valuable schedule for licensees to acquire necessary education.
- MOTION:** **Rep. Dixon** made a motion to recommend the full committee approve **Docket No. 07-0311-1701**. **Motion carried by voice vote.**
- DOCKET NO. 07-0312-1701:** **Ron Whitney** presented **Docket No. 07-0312-1701**, which deals with the governance of manufactured or mobile home installations and modifies training requirements for manufactured home installation inspectors.
- MOTION:** **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 07-0312-1701**. **Motion carried by voice vote.**
- DOCKET NO. 07-0401-1701:** **Gary Barnes**, Industrial Safety Program Manager for the Division of Building Safety, presented **Docket No. 07-0401-1701**. This rule updates safety standards applicable to safety inspections the DBS conducts on state-owned buildings. It eliminates unnecessary references to programs that are no longer administered. The rule also updates certain requirements for public employers to ensure a safe workplace.
- MOTION:** **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 07-0401-1701**. **Motion carried by voice vote.**
- DOCKET NO. 07-0402-1701:** **Gary Barnes** presented **Docket No. 07-0402-1701**. He stated this docket updates the most recent editions of the safety codes governing the installation and inspection of elevators, escalators, moving sidewalks and other conveyances.
- MOTION:** **Rep. Dixon** made a motion to recommend the full committee approve **Docket No. 07-0402-1701**. **Motion carried by voice vote.**
- DOCKET NO. 07-0701-1701:** **John Nielsen**, presented **Docket No. 07-0701-1701**, a rule governing the installation of heating, ventilation and air conditioning systems.

- MOTION:** **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 07-0701-1701. Motion carried by voice vote.**
- DOCKET NO. 07-0701-1702:** **John Nielsen** presented **Docket No. 07-0701-1702.** This rule requires HVAC inspectors to be appropriately certified for the type of HVAC work they are inspecting. Mechanical inspectors shall obtain certification from the International Association of Plumbing and Mechanical Officials, the International Code Council, or another professional certifying body as approved by the HVAC Board.
- MOTION:** **Rep. Toone** made a motion to recommend the full committee approve **Docket No. 07-0701-1702. Motion carried by voice vote.**
- DOCKET NO. 07-0817-1701:** **Larry Jeffres**, Region One Manager for the Division of Building Safety presented **Docket No. 07-0817-1701.** The implementation of these rules is for the primary purpose of ensuring the safety of those involved in logging operations, particularly operations requiring specialized cable-assisted logging equipment.
- MOTION:** **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 07-0817-1701. Motion carried by voice vote.**
- DOCKET NO. 07-0901-1701:** **Gary Barnes** presented **Docket No. 07-0901-1701.** The rules of the Division of Building Safety, Safety and Health Rules for Places of Public Employment, are being repealed in their entirety. Applicable rules contained in this chapter will be updated and incorporated into a different chapter of the IDAPA code.
- MOTION:** **Rep. Toone** made a motion to recommend the full committee approve **Docket No. 07-0901-1701. Motion carried by voice vote.**
- DOCKET NO. 07-1001-1701:** **Ron Whitney** presented **Docket No. 07-1001-1701** stating in 2016 the Idaho Legislature established the Damage Prevention Board. The Board is required to adopt rules governing various aspects of the Board's authority to regulate safe practices, and the conduct of those involved in the industry in order to prevent damage to underground facilities. These rules relate to the adoption of processes for filing claims and complaints related to damaged facilities and excavator downtime. The docket facilitates the establishment of civil penalties for violations of the Damage Prevention Boards statutes and rules.
- MOTION:** **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 07-1001-1701. Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee the meeting adjourned at 2:37 p.m.

Representative Manwaring
Chair

Joyce McKenzie
Secretary