

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Wednesday, January 31, 2024

**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:** Barbieri, Berch, Green, Rubel

**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.

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

**DOCKET NO:** **Vice Chair Ehlers** introduced **Amy Lorenzo**, Bureau Chief, DOPL. Ms. Lorenzo explained in more detail the proposed rule changes including modification of continuing education requirements, reintroduction of Arc fault breakers, and returning GFCI to previous code cycles. In addition, Ms. Lorenzo requested the committee reject the deletion of paragraph p on page 273 which was erroneously removed.

**24-3910-2302:**

In response to committee questions, **Ms. Lorenzo** explained the intent with regards to GFCI was to apply the same intent as the 2017 addenda. She shared as the board reviewed **H 337**, the verbiage stated "2023 National Electrical Code as amended through negotiated rule making." She explained the board interpreted that to mean an active process moving forward, rather than a historical application of previous exemptions. The board looked at the 2023 NEC in its entirety using the existing exemptions as the starting point. Some exemptions, including GFCI and Arc Fault, were updated, some were not included due to an update of code others were added based on stakeholder recommendations.

Testifying **in support** of the rule changes were **Jeff Fitzloff** representing the Independent Electrical Contractors of Idaho and **Jeremy Redman** representing IBEW 291. Their organizations participated in the negotiated rule making and were satisfied with the process.

In response to committee questions, **Mr. Fitzloff** shared several companies which are members of the Independent Electrical Contractors of Idaho. He also explained many of their members are on the various code boards and support the code as written.

In response to committee questions, **Mr. Redman** explained some of their members participated in the code writing panels but no one has lobbied their organization to pass the codes.

Testifying **in opposition** of the rule changes, **Ken Burgess**, Veritas Advisors representing Idaho Home Builders Association, shared during their participation during the negotiated rule making, his organization submitted concerns about the Arc Fault interrupters and GFCI exemptions to the board.

In response to committee questions, **Mr. Burgess** explained adding the previously exempted GFCI protection requirements for items 8, 9, 10 and 12 in section 210.8(D), would cost an additional \$3800 on a typical 3000 square foot home.

**Ms. Lorenzo** introduced **Steve Green**, Electrical Program Manager, State of Idaho, explained GFCI protection items 8, 9, 10 and 12 in section 210.8(D) are no longer exceptions. In response to committee questions, **Mr. Burgess** explained the sections in 210.8(D) of the National Electrical Code Handbook, which were, but are no longer exempted: 8 is electric ranges, 9 is wall-mounted ovens, 10 is counter-mounted cooking units, and 12 is microwave ovens. Ms. Lorenzo clarified if the appliance on the list is 250 volts, it is also exempt. If the appliance is 150 volt, they are not exempt. She further explained the reason the GFCI exemptions were removed was due to stakeholder input.

In response to committee questions, **Brad Hunt**, Administrative Rules Coordinator, Office of the Administrative Rules Coordinator, explained the process to reject part of the **National Electrical Code** by statute and the process to accept or reject the rules.

In response to committee questions, **Daryl DeGrange**, Chief Electrical Inspector, City of Boise explained first generation GFCI had a lot of nuisance tripping but newer ones do not have that problem. He also noted that older equipment can also experience nuisance tripping.

In response to committee questions, **Josh Scholer**, Bureau Chief, Regulatory & Legislative Affairs, said he would research what the process would be to reject parts of the National Electrical Code and would recommend obtaining a legal opinion from the Attorney General's Office or **Elizabeth Bowen**, the legislature's legal council.

**MOTION:** **Rep. Crane(13)** made a motion to hold **Docket No: 24-3910-2302** subject to the call of the chair. **Motion carried by voice vote.**

**Vice Chair Ehlers** returned the gavel to **Chairman Clow**.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:30 p.m.

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Representative Ehlers  
Chair

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Michelle A Anderson  
Secretary