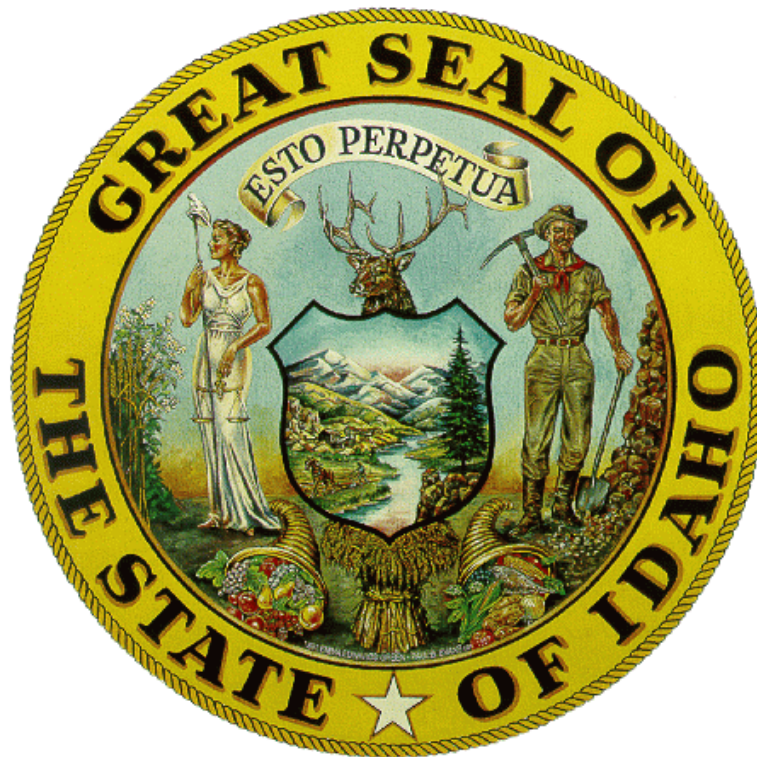


DIVISION OF BUILDING SAFETY

PUBLIC WORKS CONTRACTOR
LICENSE BOARD MEETING

JULY 15, 2019



PUBLIC WORKS CONTRACTORS LICENSE BOARD

Agenda Item No. 01

Agenda and Minutes

PRESENTER: Jim Roletto, Chairman

OBJECTIVE: Approve the PWCL Board's July 15, 2019 Agenda, May 2, 2019 Special Board Meeting Minutes and April 15, 2019 Board Meeting Minutes.

ACTION: Consent

BACKGROUND:

**PROCEDURAL
HISTORY:**

ATTACHMENTS: Tentative Agenda and Draft Minutes



TENTATIVE AGENDA

NOTICE OF PUBLIC MEETING

PUBLIC WORKS CONTRACTORS LICENSE BOARD VIDEOCONFERENCE MEETING

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d'Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello**

**Teleconference – (877) 820-7831--529619
dbs.idaho.gov – (208) 332-7137**

Monday, July 15, 2019

**9:30 a.m. – 11:00 a.m. (MDT)
8:30 a.m. – 10:00 a.m. (PDT)**

-
- 9:30 a.m. CALL TO ORDER** – Jim Roletto, Chairman
- Roll Call & Introductions
 - Open Forum

CONSENT AGENDA

1. Approval of the July 15, 2019 Agenda, May 2, 2019 Special Board Meeting Minutes and April 15, 2019 Board Meeting Minutes – Jim Roletto

INFORMATIONAL AGENDA

2. Administrator Report – Chris L. Jensen, Administrator
 - a. Financial Report
3. Conduct Negotiated Rulemaking Regarding Proposed Rule Reducing Licensing Renewal Fees – Spencer Holm, Deputy Attorney General

ACTION AGENDA

4. Approval of Temporary and Proposed Rule Reducing Licensing Renewal Fees – Spencer Holm

11:00 a.m. ADJOURN

For additional agenda information, refer to the packet, available one week prior to this meeting, at the DBS's central and regional offices and <https://dbs.idaho.gov/boards/pwboard/pwmeetings.html>.

All times, other than beginning, are approximate and scheduled according to Mountain Daylight Time (MDT), unless otherwise noted. Agenda items may shift depending on the PWCL Board's preference. 07/01/2019rb

**PUBLIC WORKS CONTRACTORS
LICENSE BOARD
SPECIAL TELECONFERENCE/
VIDEOCONFERENCE MEETING**

Thursday – May 2, 2019 – 2:00 p.m. (MDT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d'Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello**

***DRAFT MINUTES OF THE MAY 2, 2019 SPECIAL MEETING**

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but to record the significant features of those discussions.

Chairman Jim Roletto called the special meeting to order at 2:00 p.m. (MDT)

Board Members Present:

Jim Roletto, Chairman
Evan Goodwin
Karen Echeverria
Brian Bailey

DBS Staff Present:

Ron Whitney, Deputy Administrator
Patrick J. Grace, Regional Manager, Region 2
Adam Bowcutt, Regional Manager, Region 3
Renee Bryant, Administrative Assistant 2

◆ **Authorize Notice of Omnibus Rulemaking and Notice of Omnibus Fee Rulemaking with regard to IDAPA 07.05.01**

Each year the Idaho legislature reauthorizes all existing administrative rules through June 30th of the upcoming year. This year the 2019 Idaho legislature did not pass a bill; therefore, existing rules will expire on July 1, 2019.

On April 23, 2019, DBS received a memo from the Division of Financial Management (DFM) explaining the process to reauthorize rules beyond June 30, 2019. State executive agencies, by approval of their boards having rulemaking authority, must submit completed Notice of Omnibus Rulemaking and Notice of Omnibus Fee Rulemaking to DFM no later than May 10, 2019. Rules will be published as both temporary and proposed rules concurrently in a special edition of the Idaho Administrative Bulletin in June 2019. The temporary rules will have an effective date of June 30, 2019 to ensure there is no gap with the expiring rules.

As part of the Governor's *Red Tape Reduction Act*, Regional Manager Patrick J. Grace stated DBS has review the Board's rules and was able to substantially reduce the word count in the financial requirements section by creating a table. If the Board agrees, DBS will ask the governor's office to consider DBS submitting the changes through the reauthorization process.

MOTION: Karen Echeverria made a motion authorizing DBS to proceed with Notice of Omnibus Rulemaking and Notice of Omnibus Fee Rulemaking and make any formatting

changes necessary to reduce word changes. Evan Goodwin seconded. Roll Call: Brian Bailey-Aye, Karen Echeverria-Aye, Evan Goodwin-Aye, and Jim Roletto-Aye. All in favor, motion carried.

◆ **Adjournment**

MOTION: Evan Goodwin made a motion to adjourn the meeting. Karen Echeverria seconded. All in favor, motion carried.

The meeting adjourned at 2:12 p.m. (MDT).

JIM ROLETTO, CHAIRMAN
PUBLIC WORKS CONTRACTORS
LICENSE BOARD

RON WHITNEY, DEPUTY ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

*These DRAFT minutes are subject to possible corrections and final approve by the Public Works Contractors License Board.
05/18/2019rb

**PUBLIC WORKS CONTRACTORS LICENSE BOARD
VIDEOCONFERENCE MEETING**

Monday – April 15, 2019 – 9:30 a.m. (MDT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello**

DRAFT MINUTES OF THE APRIL 15, 2019 MEETING

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but to record the significant features of those discussions.

Chairman Jim Roletto called the meeting to order at 9:30 a.m. (MDT)

Board Members Present:

Jim Roletto, Chairman
Joe Jackson, Vice-Chairman
Chuck Graves
Evan Goodwin
Brian Bailey
Karen Echeverria

DBS Staff Present:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Spencer Holm, Deputy Attorney General
Larry Jeffres, Regional Manager, Region 1
Patrick J. Grace, Regional Manager, Region 2
Adam Bowcutt, Regional Manager, Region 3
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Legislative Update – The Board had one rule and one statute go before this year’s legislative session. The statute amends the existing law to reduce the mandatory number of board meetings to two a year, and to establish five members as a quorum. The rule clarified, by definition, “Qualified Individual”, “Written Notice”, and “Reasonable Length of Time” as they pertain to being connected or cease to connect with a public works contractor.

Existing Administrative Rules – Every year the legislature passes a bill to reauthorize all existing administrative rules through June 30th of the upcoming year. The 2019 Legislature did not pass a bill; therefore, existing rules become null and void on July 1, 2019. The Governor’s office will issue a temporary rule to readopt all rules until the next legislative session.

House Bill 175 – Updates processes under the Idaho Administrative Procedures Act to amend and add to existing laws to revise procedures for contested cases of hearing officers. The bill did not pass the 2019 Legislature; however, there will be interim meetings, which DBS will participate in.

House Bill 248 – Amends existing law to establish the Occupational Licensing Reform Act and to establish provisions regarding recognition of military training, expedited

applications for military members and their spouses, and licensure by endorsement for military members and their spouses. This bill did pass the 2019 Legislature.

House Bill 307 – Transitions the Contractor Registration from the Bureau of Occupational License to the Division of Building Safety. This will streamline DBS processes; creating efficiencies in state government as DBS already handles plumbing, electrical and public works licenses. It also seeks to streamline and eliminate the need for multiple licenses or registrations and update requirements to match industry practices. This bill did not pass the 2019 Legislature.

◆ **Approval of April 15, 2019 Agenda and January 14, 2019 Board Meeting Minutes**

MOTION: Karen Echeverria made a motion to approve the April 14, 2019 Agenda and January 14, 2019 Meeting Minutes as presented. Joe Jackson seconded. All in favor, motion carried.

◆ **Reduction of Fees on a Temporary Basis**

Based on the Administrative Procedures Act, once a board approves a temporary fee rule, a notice must be published in the next available Administrative Bulletin. The Board approved the temporary fee at its January 2019 meeting; however, the proper documentation was never published in the Bulletin. Therefore, the Board was asked to approve the reduction of fees on a temporary basis a second time. Deputy Administrator Ron Whitney further explained one Executive Order (EO) the Governor issued in 2019, *Red Tape Reduction Act*, which reduces the volume of word count in rules. Rather than write and spell out dollar amounts, the Division will convert the language into a table.

MOTION: Joe Jackson made a motion to approve, on a temporary basis, the reduction of renewal fees, and to review mid-year whether to make the rule permanent. Chuck Graves seconded. All in favor, motion carried.

◆ **Election of Officers**

In accordance with Idaho Code § 54-1908. Meetings – Quorum, “At the April meeting of each year the Board shall elect officers.”

MOTION: Chuck Graves made a motion to appoint Jim Roletto as Chairman and Joe Jackson as Vice-Chairman for the upcoming year. Karen Echeverria seconded. All in favor, motion carried.

◆ **Governor’s Executive Orders**

In January 2019, Governor Little issued the following executive orders:

Executive Order 2019-01 *Licensing Freedom Act 2019* – Provides additional information on the Licensing Freedom Act, which was originally introduced in EO 2017-06. The top two recommendations in the new EO establishes a “sunrise” review process for new proposed licenses and a “sunset” review process on existing licenses.

Executive Order 2019-02 Red Tape Reduction Act – Requires agencies to designate an existing employee as its Rules Review Officer; which will be Regional Manager Patrick J. Grace for DBS. Prior to proposing a new rule for publication in the Idaho Administrative Bulletin, each agency shall submit to the Division of Financial Management an impact statement; identifying the impact the proposed rule will have on individuals and small businesses. In addition, at least two existing rules will need to be repealed or significantly simplified, or a statement clearly and thoroughly stating why existing rules cannot be simplified or eliminated.

◆ **Compliance Report**

Compliance Program Specialist Amy Kohler did not have any new issues to discuss.

◆ **Administrator Report**

Financial Report – The Board’s financial situation is strong.

Construction – Throughout the state of Idaho construction continues to be busy with no slowdown in sight.

◆ **Adjournment**

MOTION: Karen Echeverria made a motion to adjourn the meeting. Joe Jackson seconded. All in favor, motion carried.

The meeting adjourned at 10:18 a.m. (MDT).

JIM ROLETTO, CHAIRMAN
PUBLIC WORKS CONTRACTORS
LICENSE BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

These draft minutes are subject to possible corrections and final approve by the PWCL Board. 06/17/2019rb

PUBLIC WORKS CONTRACTORS LICENSE BOARD

Agenda Item No. 02

Administrator Report

PRESENTER: Chris L. Jensen, Administrator

OBJECTIVE: Provide an overview of the Division's current activities.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled PWCL Board meetings.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: Quarterly Board Report



Quarterly PWCL Board Report

Licenses Processed for April 2019

License Class	Originals	Renewals	Upgrades	Downgrades
Unlimited	3	38	1	0
AAA	0	21	1	1
AA	0	20	2	0
A	0	7	1	0
B	3	31	2	1
CC	1	7	4	1
C	11	71	4	3
D	9	46	0	1
Totals	27	241	15	7
2018 Totals	24	307	13	7
Construction Managers	2	3		

Licenses Processed for May 2019

License Class	Originals	Renewals	Upgrades	Downgrades
Unlimited	1	55	2	0
AAA	0	35	3	0
AA	1	33	3	1
A	0	27	4	1
B	2	63	10	2
CC	1	15	0	3
C	7	128	2	8
D	9	73	0	0
Totals	21	429	24	15
2018 Totals	35	341	22	7
Construction Managers	0	8		

Licenses Processed for June 2019

License Class	Originals	Renewals	Upgrades	Downgrades
Unlimited	2	49	4	0
AAA	0	30	0	0
AA	0	21	4	1
A	0	35	5	0
B	2	55	8	4
CC	3	7	2	1
C	2	87	4	3
D	16	67	0	0
Totals	25	351	27	9
2018 Totals	27	348	21	10
Construction Managers	1	10		

**Total Licenses Processed for FY 2018
7/1/2017 to 6/30/2018**

FY 2017	Originals	Renewals
July	27	240
August	15	310
September	16	209
October	19	194
November	16	182
December	16	119
January	18	177
February	32	207
March	35	261
April	25	316
May	35	348
June	27	361
FY 2018 Totals	281	2924

**Total Licenses Processed for FY 2019
7/1/2018 to 6/30/2019**

FY 2018	Originals	Renewals
July	24	300
August	22	289
September	23	207
October	20	219
November	11	158
December	14	157
January	32	177
February	27	209
March	22	252
April	27	241
May	21	429
June	25	351
FY 2019 Totals	268	2989

The program currently shows **3,521** active public works contractors and **105** active construction managers as of June 30, 2019.

PWCL Assessments

This fiscal year the program has collected \$0.00 in assessments.
This calendar year the program has collected \$0.00 in assessments.

PUBLIC WORKS CONTRACTORS LICENSE BOARD

Agenda Item No. 02a

Financial Report

PRESENTER: Chris L. Jensen, Administrator

OBJECTIVE: Review the PWCL Financial Report.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled PWCL Board meetings.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: Financial Report





Division of Building Safety
 PUBLIC WORKS CONTRACTORS LICENSING FUND 0229-07
 Fiscal Year 2019 Financial Statements
 As of 05/31/2019

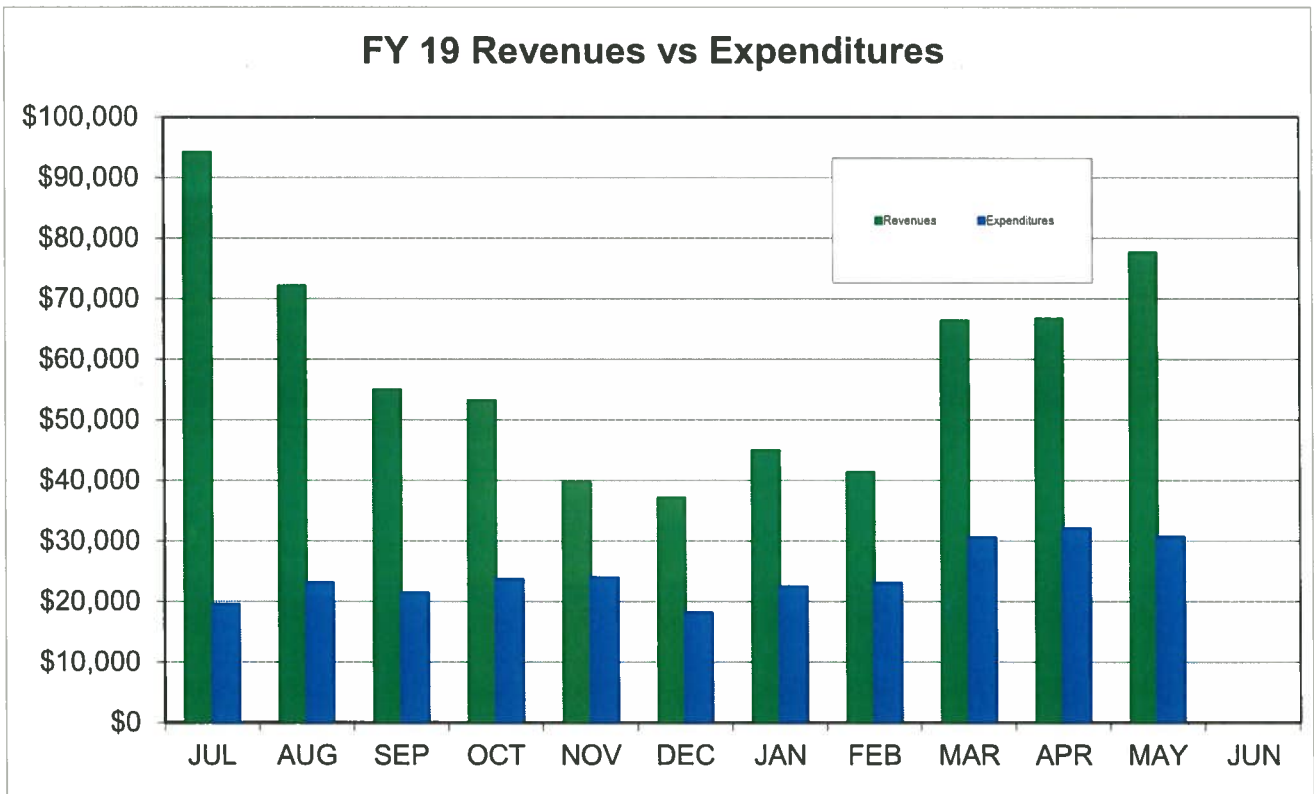
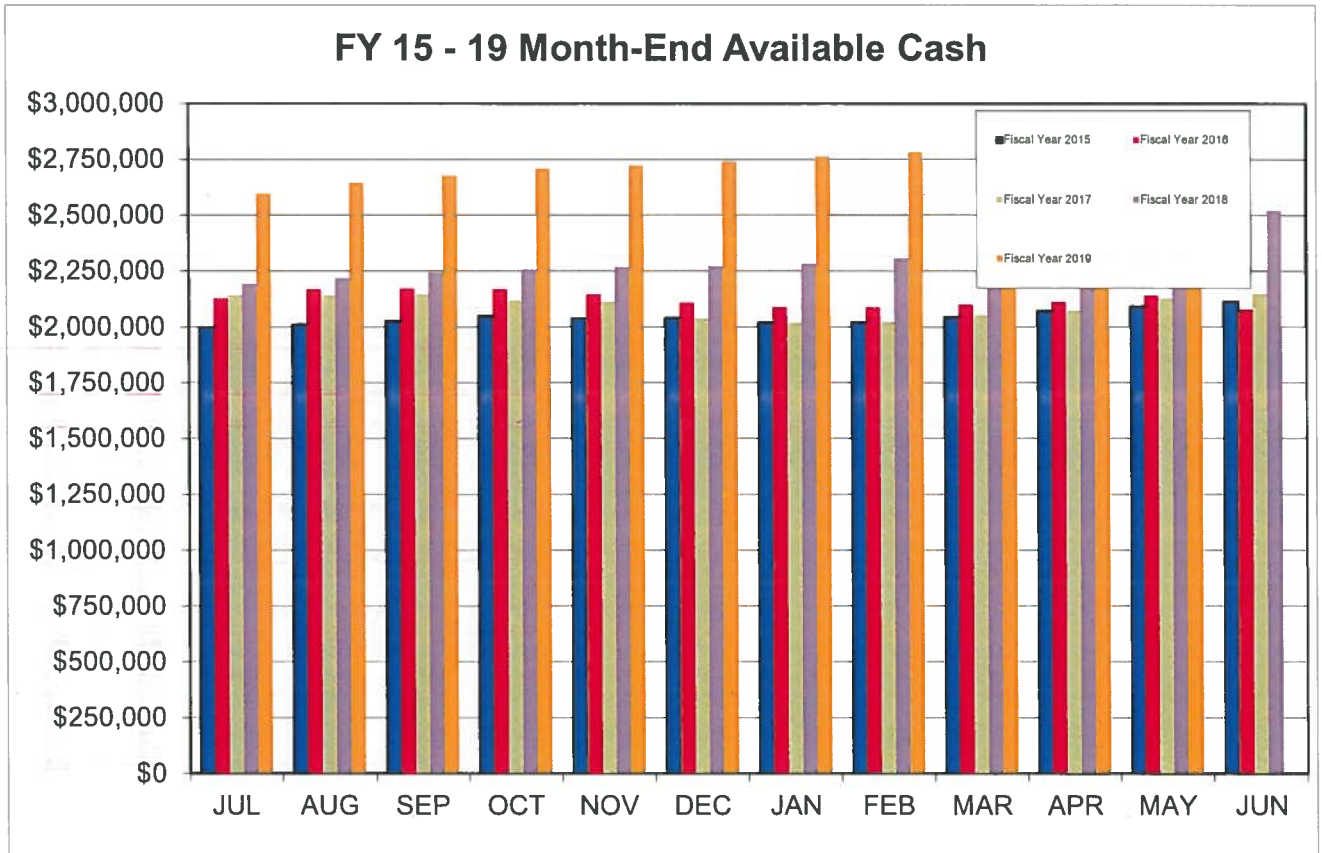
Statement of Revenues and Expenditures

Class	Budget	Fiscal Year To Date	YTD as a % of Budget	Remaining Budget	Projected for Remainder of Year	Projected Year End Totals	Projected Total as a % of Budget
Revenues:	432,400	648,165	149.9%	(215,765)	84,410	732,575	169.4%
Expenditures							
Personnel:	336,000	221,502	65.9%	114,498	18,458	239,960	71.4%
Operating:	57,500	27,439	47.7%	30,061	3,077	30,516	53.1%
Capital:	38,900	19,601	50.4%	19,299	19,299	38,900	100.0%
Total Expenditures	432,400	268,542	62.1%	163,858	40,835	309,377	71.5%
Net for FY 2019	-	379,623			43,575	423,198	

Statement of Cash Balance

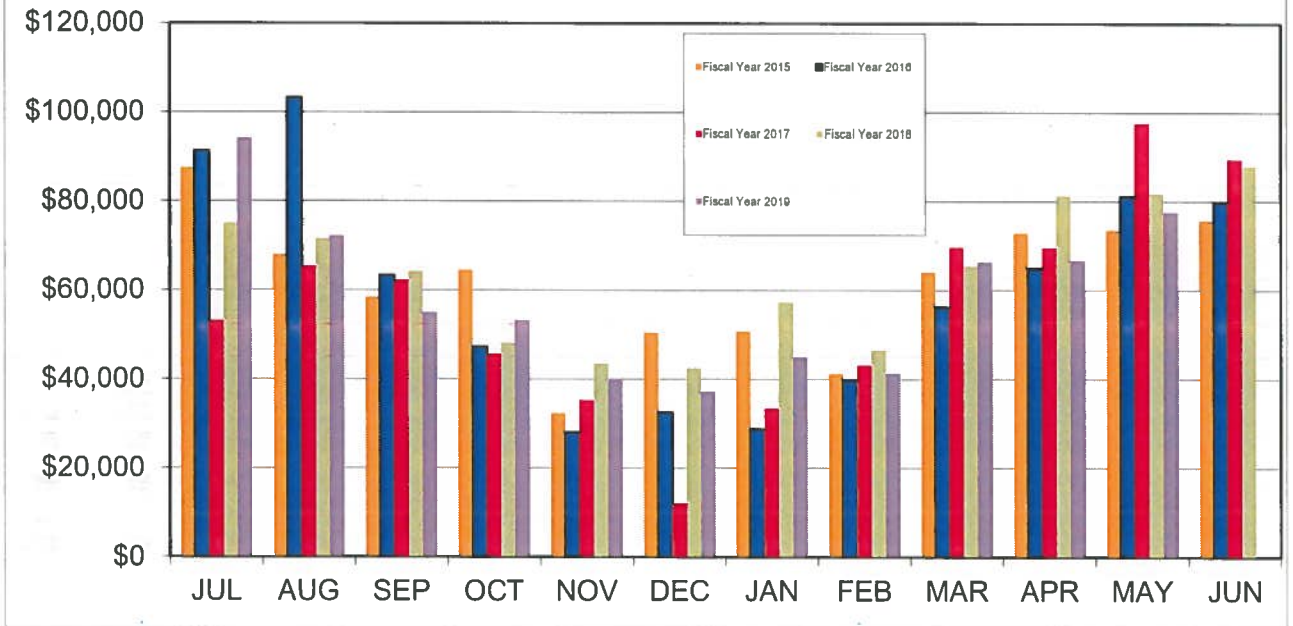
July 1, 2018 Beginning Cash Available	Fiscal Year to Date Revenues	Fiscal Year to Date Expenditures and Encumbrances	Other Changes in Cash	Available Cash as of May 31 2019	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
2,519,549	648,165	(268,542)	14	2,899,186	43,575	2,942,761

PUBLIC WORKS CONTRACTORS LICENSING FUND 0229-07

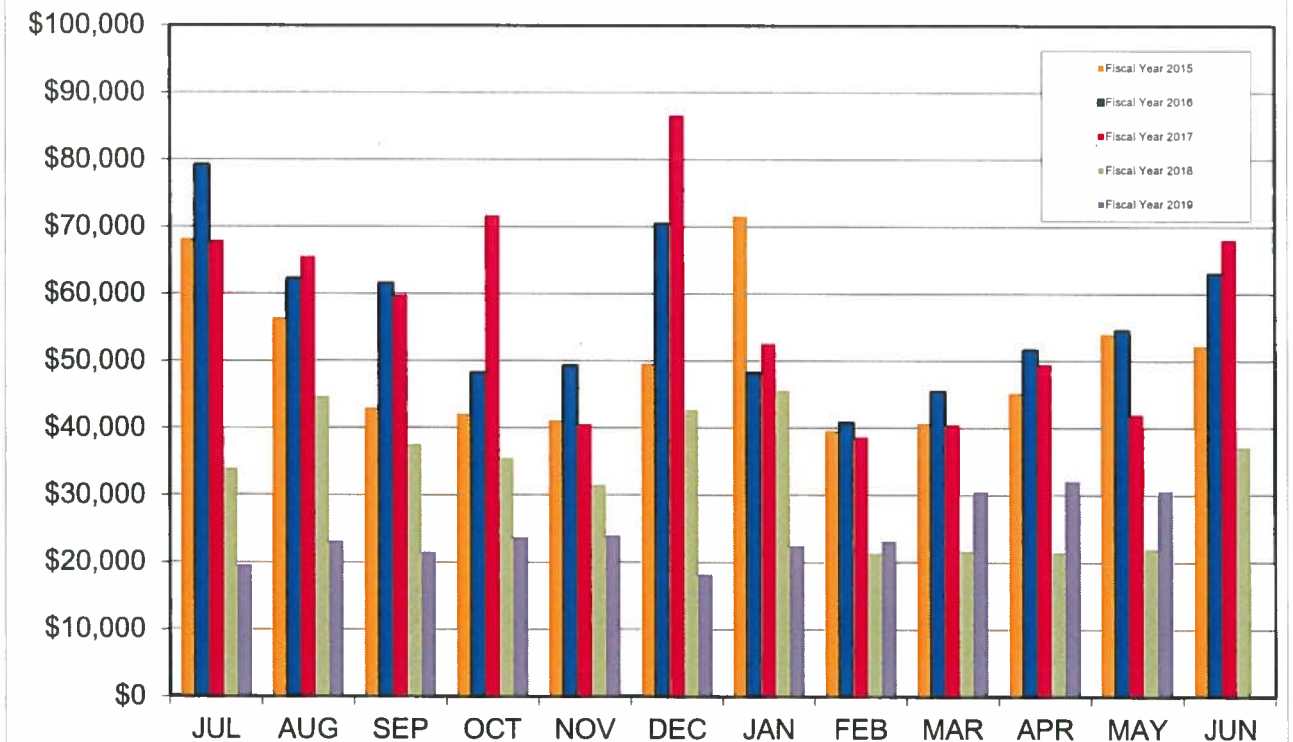


PUBLIC WORKS CONTRACTORS LICENSING FUND 0229-07

FY 15 - 19 Revenues



FY 15 - 19 Expenditures



PUBLIC WORKS CONTRACTORS LICENSE BOARD

Agenda Item No. 03 Conduct Negotiated Rulemaking Regarding Proposed Rule Reducing Licensing Renewal Fees

PRESENTER: Spencer Holm, Deputy Attorney General

OBJECTIVE: Discuss whether to move forward with the reduction of licensing renewal fees.

ACTION: Informational

BACKGROUND: See Agenda Item 04

**PROCEDURAL
HISTORY:**

ATTACHMENTS: See Agenda Item 04



PUBLIC WORKS CONTRACTORS LICENSE BOARD

Agenda Item No. 04 Approval of Temporary and Proposed Rule Reducing Licensing Renewal Fees

PRESENTER: Spencer Holm, Deputy Attorney General

OBJECTIVE: Temporarily reduce license fees.

ACTION: Vote to approve proposed legislation.

BACKGROUND: January 2019 – The Board approved the temporary reduction of fees with the possibility of exploring the issue mid-year on whether to make it permanent. DBS recommended waiting until the end of the 2019 legislative session to run the temporary rule.

April 2019 – Based on the Administrative Procedures Act, once a board approves a temporary fee rule, a notice must be published in the next available Administrative Bulletin. The Board approved the temporary fee at its January 2019 meeting; however, the proper documentation was never published in the Bulletin. Therefore, the Board was asked to approve the reduction of fees on a temporary basis a second time. Deputy Administrator Ron Whitney further explained one Executive Order (EO) the Governor issued in 2019, *Red Tape Reduction Act*, which reduces the volume of word count in rules. Rather than write and spell out dollar amounts, the Division will convert the language into a table.

PROCEDURAL HISTORY:

ATTACHMENTS: Proposed Temporary Rule



**IDAPA 07
TITLE 05
CHAPTER 01**

07.05.01 – RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD

201. FEES.

01. Public Works Contractor Licensing Fees. In accordance with Section 54-1904, Idaho Code, initial ~~licensing~~ and renewal fees for each class of public works contractor licenses are as provided in Table 201.01, Initial and Renewal Licensing Fees.

TABLE 201.01 – INITIAL AND RENEWAL LICENSING FEES		
License Class	Initial Fee	Renewal Fee
Unlimited	\$550	\$554 40
AAA	\$450	\$453 60
AA	\$350	\$352 80
A	\$250	\$251 60
B	\$150	\$152 0
CC	\$125	\$125 00
C	\$100	\$108 0
D	\$50	\$54 0

~~(6-30-19)F(_____)~~

02. Construction Manager Licensing Fees. Initial licensing and renewal fees for construction manager licenses are, in accordance with Section 54-4510, Idaho Code, as follows: (4-9-09)

- a.** The fee for initial examination and licensing is two hundred dollars (\$200). (3-19-99)
- b.** The fee for license renewal is two hundred dollars (\$200). (3-19-99)
- c.** The fee for an inactive license is fifty dollars (\$50). (3-19-99)
- d.** The fee for license reinstatement is two hundred dollars (\$200). (3-19-99)
- e.** The fee for administering the examination is the standard fee established for taking that examination. (3-19-99)
- f.** The fee for issuing and for reinstating a certificate of authority is one hundred dollars (\$100). (3-19-99)

03. Payment of Fees. Fees are payable to “Division of Building Safety -- Public Works Contractors.”
(3-20-04)

04. Application Filed With Fees. Required fees must accompany all applications. An application filed without the required fees is deemed incomplete and returned to the applicant.
(3-20-04)