

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING**

Thursday – May 16, 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**

MINUTES OF THE MAY 16, 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 Matt Gardner called the meeting to order at 9:30 a.m. (MDT)

Board Members Present:

Matt Gardner, Chairman
Gilbert Pond, Vice-Chairman
Rick Garrett
Shaun Urwin

DBS Staff Members Present:

Chris L. Jensen, Administrator
Spencer Holm, Deputy Attorney General
John Nielsen, Plumbing Program Manager
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

No new issues were addressed under open forum.

City and County Concerns – No new issues were addressed under open forum.

◆ **Approval of the May 16, 2019 Agenda and March 21, 2019 Board Meeting Minutes**

MOTION: Gilbert Pond made a motion to approve the May 16, 2019 agenda and March 21, 2019 meeting minutes as presented. Shaun Urwin seconded. All in favor, motion carried.

◆ **Vote to Approve Amendments to Idaho Code Section 54-2602(1) and 54-2620(2) to Provide Exception from Licensing Requirements for Manufactured or Mobile Home Installers**

Revised proposed amendments were provided at the meeting. The new language in Idaho Code § 54-2602(1) *Exceptions*, clarifies that individuals holding a current installer license may make connections from manufactured home or mobile home sewer or water facilities to existing sewer or water facilities on site. Idaho Code § 54-2620(2) *Permits Required – Exceptions*, explains who can pull a permit to make the above-mentioned connections. Normally, proposed changes to statute and rules are not run together as it is difficult to manage if one does not pass the legislature. Therefore, the Division will present the statute changes to the 2020 legislature and rule changes to the 2021 legislature. Plumbing Program Manager John Nielsen offered to bring a draft rule to the September 2019 Plumbing Board meeting.

MOTION: Rick Garrett made a motion to accept the amendments to sections 54-2602 and 54-2620 of the Idaho Code as written. Shaun Urwin seconded. All in favor, motion carried.

ACTION: The Plumbing Program Manager will bring a draft rule, to coincide with the statute changes, to the September 2019 board meeting.

ACTION: The topic *Proposed Rule Changes to Licensing Requirements for Mobile Home Installers* will be addressed at the September 2019 meeting as an informational item.

- ◆ **Conduct Negotiated Rulemaking and Vote on Proposed Amendments to IDAPA Rules**
Elimination of Practical Exam Through IDAPA 07.02.05 – The proposal removes the need for a practical exam. There was concern if practical exams were not taken, and inspectors were not inspecting, there could be a loss of funding to the State. In addition, there would not be the means or measurement tool to know if the plumber can execute the practical nature of the examination. If the written test was raised to be considered competent then there would be no need for a practical exam. Board Member Gilbert Pond agreed and is in favor of leaving the current testing as is until there is something to prove an individual is competent. Currently, the rule for a practical is eight fixtures.

On behalf of Brett Wideman, President of Plumbers and Steamfitters UA Local 44, Jason Hudson, Government Affairs Director, AFL/CIO, conveyed there is room to improve the practical exam. Mr. Wideman would be open to making changes; however, would be opposed to its wholesale elimination without corresponding changes in the written exam to make sure the level of competency was maintained.

MOTION: Shaun Urwin made a motion to vote on the elimination of the practical exam. Rick Garrett second. Motion died for lack of a vote.

MOTION: Shaun Urwin made a motion to keep the practical exam as is. Gilbert Pond seconded. Three ayes and one nay, motion carried.

The Chairman stated the special committee will bring supporting documentation to the September 2019 board meeting for further discussion under the informational topic *Practical Exam*.

ACTION: The topic *Practical Exam* will be addressed at the September 16, 2019 meeting as an informational item.

Align IDAPA 07.02.05.016.03.b With Idaho Code Section 54-2617(3), Allowing Revival of a Lapsed Plumbing License Without Examination Within Two Years of the Lapse – Statute has been changed to allow a certificate of competency to be revived within two years without examination. To coincide with statute, the proposed rule changes the length of time from 12 to 24 months as well.

MOTION: Rick Garrett made a motion to accept the change to IDAPA 07.02.05.016.03.b from 12 to 24 months. Shaun Urwin seconded. All in favor, motion carried.

Amend Mobile Home Installation Fees and Simplify IDAPA 07.02.03.011 Fee Schedule – The proposal pertains to the mobile home installation fees. Currently, a mobile home connection permit fee can be used to install mobile, modular, and manufactured homes. With the elimination of the mobile home license, the generic permit fee needs to be separated into two permits.

The Governor's office has identified a method in the rulemaking process to make further cuts/consolidation to word counts in the rules; i.e., Red Tape Reduction Act. To simplify IDAPA 07.02.03.011, permit fees were restructured into table form.

MOTION: Gilbert Pond made a motion to accept the rule changes; amending the mobile home installation fees, as well as simplifying IDAPA 07.02.04.011 Fee Schedule. Rick Garrett seconded. All in favor, motion carried.

◆ **Consolidation of Plumbing Rule Chapters**

Another way DFM has identified to reduce word count is to consolidate chapters. DBS would like to combine the following IDAPA plumbing rule chapters into one chapter: 07.02.02 (Permits), 07.02.03 (Fee Schedule), 07.02.04 (Inspections), and 07.02.07 (Civil Penalties). It was emphasized there would be no substantial changes to the rules, only the elimination of multiple replications. Prior to voting, the Board requested a copy of the draft proposal for review. The topic was postponed until the end of the meeting.

◆ **Continuing Education Units (CEU)**

This topic has previously been discussed regarding CEUs and classes taken. Currently, it is set up that if an individual takes a class in a license cycle, credit is not given if the same class/class number is taken a second time. There is not much difference between sitting in a classroom versus taking on-line courses, especially if it is code related. When asked, Chairman Gardener explained the reasoning behind the requirements of CEUs. Upon further discussion, the Board agreed to leave the CEU process as is.

◆ **Program Manager Report**

Earlier in May, the Plumbing Program Manager attended a Technical Committee meeting in Denver, Colorado, to discuss the 2021 Uniform Plumbing Code (UPC). Membership voting will be held in September 2019, at the Business Conference in Reno, Nevada, and in the spring/summer of 2020, the 2021 code will be in print. The Board was asked if they would like to explore the option of adopting the 2021 UPC as it has been two code cycles since the code was last updated.

◆ **Compliance Program Report**

The Compliance Program Specialist has seen a small increase in violations as she continues to receive input from inspectors from other jurisdictions. In June, Compliance Program Specialist Amy Kohler will travel to north Idaho; introducing herself, as well as reconnecting with city and county representatives.

◆ **Consolidation of Plumbing Rule Chapters (Cont'd)**

The Board received a draft copy of the proposed rule changes; combining chapters two, three, four and seven. Deputy Attorney General Spencer Holm addressed additional changes

to be made prior to the submittal at the 2020 legislature. When asked, chapters five and six will stay as is; independent of all other chapters.

MOTION: Gilbert Pond made a motion to move forward with the consolidation of plumbing rule chapters, and accept the additional corrections as discussed. Shaun Urwin seconded. All in favor, motion carried.

◆ **Administrator Report**

Financial Report – The Financial Report looks good with no issues.

Conference – The Division’s annual Regional Manager Conference was held at the Meridian office on May 15-16, 2019.

Reports – For future meetings, the Chairman requested longer spreadsheets be rotated to the landscape format when placed on the Division’s website.

◆ **Adjournment**

MOTION: Gilbert Pond made a motion to adjourn the meeting. Shaun Urwin seconded. All in favor, motion carried.

The meeting adjourned at 11:12 a.m. (MDT)

MATT GARDNER, CHAIRMAN
IDAHO PLUMBING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE
09/06/2019rb

DATE