



State of Idaho  
Division of Occupational and Professional Licenses  
Damage Prevention Board

**BRAD LITTLE** Governor  
**RUSSELL BARRON** Administrator  
11341 W Chinden Blvd.  
P.O. Box 83720  
Boise, ID 83720-0063  
(208) 334-3233  
dopl.idaho.gov

**Minutes of 04/20/2023**

**Board Members Present:** Bob Chandler, Chair  
Nichole Rush, Vice-Chair  
Roy Ellis  
Jerry Piper  
Julie Maki  
Scott Spears  
Jeff Brooks

**Division Staff:** Amy Lorenzo, BCRE Bureau Chief  
John Nielsen, Executive Officer  
Lea Kear, Legal Counsel  
Renee Bryant, Board Support Supv.

**Board Members Absent:** Jeanna Anderson  
Paul Good

The meeting was called to order at 9:09 AM MT by Bob Chandler.

**APPROVAL OF MINUTES**

A motion was made and seconded to approve the 01/18/2023 meeting minutes. The motion carried unanimously.

**BOARD BUSINESS**

**811 Poster Artwork:** The Board members made several suggestions to the construction of the draft 811 poster, provided in the packet. At the June 2023 Board meeting, the Board will vote to approve the revised poster, as well as the cost to print and distribute.

**Financial Report:** The third quarter of the Financial report was addressed.

**Education:** A discussion ensued regarding the location of revenue on the financial report for education.

**House Bill (HB) 235-Changes to Emergency Locates and Maintained Marking Timeline:** HB 235 amends existing law to revise provisions regarding underground facilities damage prevention; specifically, create a definition for, or direction about how to handle an emergency excavation. It also extends the length of time a maintained surface-marking for utility facilities is valid from three weeks to four weeks. The Board's concern is whether excavators are exempt from giving notice when the excavator determines a delay caused by providing notice would cause an imminent risk to life, health, or property, or whether the exemption is limited strictly to the two-hour "emergency" call-in time. After discussion, the Board interpreted the legislation to establish that in such circumstances, excavators must still give notice but that the exemption is limited strictly to the two-hour "emergency" call-in time.

**Complaint Form:** The Board authorized staff to update the Complaint form to match the Statute and Civil Penalty Rule.

#### **DIVISION BUSINESS**

**Press Release-April Safe Digging Month:** A proclamation by the Office of the Governor declares April as Safe Digging Month.

**Training and Education Report:** The Idaho Damage Prevention Training report was presented.

**Damage Prevention Board Statistics:** The Damage Prevention Board Stats report was reviewed.

**Notice of Violation (NOV) Activity Report:** The NOV Activity report was reviewed.

**Public Comment:** Vice-Chair Nicole Rush has been asked to request the Online Complaint form be modified to be fillable (required field), not pdf form, and able to attach supporting documentation. Chair Chandler ask the topic *Damage Prevention Board Booklets* to be added to the June 2023 meeting agenda as an action item.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 11:40 AM.