

**FACTORY BUILT STRUCTURES ADVISORY BOARD
SPECIAL TELECONFERENCE/
VIDEOCONFERENCE MEETING**

Thursday – August 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**

MINUTES OF THE AUGUST 15, 2019 SPECIAL MEETING

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

Chairman Markus Alley called the special meeting to order at 9:33 a.m. (MDT)

Board Members Present:

Markus Alley, Chairman
Kenna Draper
Mike Jensen
Jeff Chrisman
Ken Roche
Michael Hampton

DBS Staff Members 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
Jeff Egan, Building Program Manager
Renee Bryant, Administrative Assistant 2

◆ **Elimination or Consolidation of Manufactured Home Licenses and Possible Elimination of Background Checks**

At the July 2019 Board meeting there was discussion to remove the resale broker, salesman and responsible managing employee (RME) licenses, eliminate background checks for retailer licenses, and possibly move to a three-year license for installers, retailers and manufacturers. Since then, Regional Manager Patrick J. Grace has received an email from the Idaho Housing Alliance (IHA), in which they are still good with the elimination of the three licenses. IHA also supports eliminating a background check but would like to keep some language, akin to what auto dealers have, which is to allow the administrator to deny or revoke a license for certain violations involving manufactured home industry activities. Language provided by IHA is close to what is already in Idaho Code § 44-2105 *Discipline -- Hearing -- Judicial review -- Reapplication*; therefore, there is no need to add it into the proposal. Regarding a possible three-year license, DBS was never directed to bring it back up to the Board as the Division did not notice up an idea to the Governor’s office, and IHA suggested the industry could run legislation.

Jack Lyman, IHA, has reviewed the current statute and does not believe there is anything in there that prohibits the Board from adopting rules that would allow one, two or three-year licenses. Also, there is no mention in the statute of an annual licensure. One issue might be in the fees because they are capped statutorily. The Board might think about proceeding with the

statute to perhaps double the current statutory cap. This would not be an expectation to raise the annual license but to allow some room over the interim to consider adopting rules that might allow for multiple licenses. The alternative would be to talk about changing the rule and then going to the legislative session a year from January 2020. That would put the Board out 18 months, and the change wouldn't go into effect until the legislature approves the rules.

On August 10, 2019, the Occupational Licensing and Certification Laws Committee will meet to discuss whether to extend licenses beyond an annual basis. It would not be in IHA's interest to pursue separate legislation should the Committee have its own legislative proposal in addition to the Governors. In conclusion, Mr. Lyman reiterated IHA supports the proposal presented by DBS.

MOTION: Ken Roche made a motion to accept the proposed statute changes to eliminate or consolidate manufactured home licenses and possible elimination of background checks. Kenna Draper seconded. All in favor, motion carried.

◆ **Approval of Pending Rules as Part of Reauthorization Process**

The intent today was for the Board to vote to approve the proposed rules as a pending status. Prior to the meeting, the Division of Financial Management asked for additional red tape reduction cuts; which requires a 21-day comment period. Therefore, a special meeting will be scheduled in early October for the Board to review and approve the reauthorized pending rules.

◆ **Amendment of Modular Building Provisions within the Building Code Rules**

There was a lot of duplication between the modular and building code rules; therefore, in accordance to the Red Tape Reduction Act, the Division removed the duplicated verbiage from the building code rules. At the October special meeting, the Board will vote whether to approve the rules as a pending status.

◆ **Adjournment**

MOTION: Ken Roche made a motion to adjourn the meeting. Mike Hampton seconded. All in favor, motion carried.

The meeting adjourned at 10:05 a.m. (MDT)

MARKUS ALLEY, CHAIRMAN
FACTORY BUILT STRUCTURES
ADVISORY BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

11/29/2019rb

DATE