

Idaho Falls Plumbing Board Meeting

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1 Nielsen: -- John Nielsen. I'm the Plumbing Program Manager. I
2 recognize a lot of faces coming to the code update
3 classes and everything. Appreciate you being here at
4 this time of day. We had to juggle it around 'cause
5 electrical, building and HVAC all went before us. So
6 we're in the -- we're finishing the day off.

7
8 Tim Frost, he's the, um, Bureau Chief for the Admin
9 side of new -- this new DOPL setup. I'm going to
10 bring him up and explain Zero-Based Regulations 'cause
11 I'm sure as soon as you guys hear zero-based you're
12 like they're throwing everything out. You know, there
13 goes licenses. There goes everything. It's going to
14 be a free-for-all. That is not what it is, and I'll
15 let Tim explain that part before we delve into the
16 rules.

17 Frost: So Tim Frost. I'm the Bureau Chief for the Division
18 of Occupational and Professional Licenses. Um, Zero-
19 Based Regulation comes from an executive order that
20 was issued by Governor Little at the beginning of
21 2020, so it's 2020-01. And what it does is it applies
22 to all agencies and all of our boards throughout the
23 entire state. And it creates a review cycle from the
24 year 2021 to 2025 where every agency will go through
25 the process that's set forth by our Division of

1 Financial Management. And the process in itself is
2 when it comes for that board's year -- so in, you
3 know, in the instance of the Plumbing Board, uh, in
4 the year -- next year 2022 they'll utilize the whole
5 year to essentially do, if you will, a full review,
6 repeal and replace of the rules.

7
8 And so the terminology zero-based comes from each
9 board is required to repeal their rule chapter, but
10 they're also required to replace it. And in doing it
11 they're required to do a prospective analysis on each
12 one of those rules. And so the goal is, um, a cost-
13 benefit analysis of is, is what we've been doing
14 working? Um, is what we're doing narrowly tailored to
15 take care of the public safety and life safety
16 benefit? Um, has it -- you know, if we've had this
17 requirement in place for 10 years, is it achieving in
18 the outcomes we're looking into achieve? Is there a
19 different way that we can go about doing this?

20
21 And so, uh, as John noted, it's not a, uh, it's not a
22 premise to remove the trade or remove licensure or
23 remove anything, but it is a -- it, it is coming from
24 the perspective of let's review it, how we do
25 licensing. Let's review how we do permitting. Um, is

1 there areas where we can simplify this? Is there
2 areas where it's, it's duplicative and we can make it
3 more seam- -- you know, seamless? Is the process by
4 which we utilize and connect with your online systems,
5 could, could that be better as, you know, our agency
6 transitions?

7
8 Um, you know, I, I think every, every rule, if you
9 will, is open for review and open for thoughts, and,
10 uh, the goal of these listening sessions we're doing
11 around the state is to truly be that. It's, it's to
12 listen to your, your all thoughts on, um, the
13 different areas of what's happening in the trade, what
14 our current rules are, what the current code is, what
15 are the elements that we need to know.

16
17 Um, you know, in doing this repeal/replace, uh, it
18 doesn't mean that how the trade has been governed over
19 the past 60 to 100 years is incorrect. What it means
20 is, um, we're simply asking, hey, what's going to
21 happen in the next 10 to 20 years and how can we work
22 together between the board and the industry to
23 navigate, um, what changes we need to take place
24 because of what's happening in the economy and what's
25 happening in your profession.



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So, um, as you go through this, please feel free to give us your thoughts whether that's in support or opposition of anything. It's, it's an open floor for you all to, uh, give, give your feedback on. So I really appreciate all of you showing up as well.

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Nielsen: Thanks, Tim. So since it is a listening session, like I said, I'd appreciate it if you'd at least come up to the middle here and state your name, what licenses you hold, and what your concerns or ideas are. And what I'm going to do is basically go right through the rules and hit hot, you know, hot -- some hot topics, not -- some not so hot. But see what you guys' opinion on stuff is.

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So as we get started, the first one here is expiring permits. Now the rules says, you know, 120 days. I'll be honest with you. We do not enforce this rule. There is talk to come up with another solution which might be you pull the permit. It lasts a year. If you want to extend it, you pay another \$65. And again, just ideas. So if there's any thoughts or comments on expiring permits, I'd love to hear it. I'll be taking notes also. But again, please if you have something to say, state your name and license and



1 let me know what you think. Or if you don't have a
2 topic, I'm just going to assume it's good and I'll
3 move right on.

4
5 The other one along with permits, as you know, we're
6 at square footage. Everything is based on square
7 footage for residential. Would anybody like to see
8 that change? Back in the day when I first started it
9 was a base fee, so much per fixtures. Uh, a couple
10 years ago I got that passed in HVAC because it made it
11 simpler for the specialty guys who were just doing
12 fireplace installations or something, you know. They
13 were getting mad they were pay \$340 per square footage
14 piece to put in one fireplace, so we went with the
15 base fee. Does industry here see anything like that
16 they'd like to see change or square footage good and -
17 -

18 Dickson: Go with fixtures. Go with fixtures.

19 Nielsen: Could you state your name?

20 Dickson: Kord Dickson, contractor, uh, journeyman. Uh, I work
21 for Sermon, and personally I think it should be done
22 on fixture units not on square footage.

23 Nielsen: Okay. Anybody else? Show of hands. All right. Did
24 you have a comment?

25 Dickson: Yeah. I'd like to see it go back to the fixtures

1 'cause we're getting these houses. I mean there's
2 bonus rooms and everything else they include in the
3 square footages in these houses that we don't have
4 anything up there.

5 Nielsen: And your name?

6 Sibbett: Uh, Kim Sibbett, um, contractor. And it -- uh, I just
7 -- I think it works out a little bit better. It's
8 easier for us to bid a job when we're doing that. I
9 think when -- in the long run so --

10 Nielsen: And again, this is obviously residential. So again,
11 it's just a little bit of paperwork on our side and
12 seeing what we come up with. And one of the topics
13 here is they combined 11 self-governing agencies. So
14 they didn't just take DBS and change it to
15 Occupational and Professional Licenses. They brought
16 in all these other ones. The end result is to help
17 the contractor and the consumer.

18
19 And you know, we need enough money to provide you guys
20 with services you want. Again, we don't -- you know,
21 we're not for profit. We're not out there trying to
22 make money, but we do have to pay our staff. We
23 travel a bunch. You know, we're not just sitting
24 there in city limits doing stuff. So you know, that's
25 a good point. We can bring it up and discuss it.

1 Also just because we're discussing it -- just full
2 disclosure -- doesn't mean it might not or might
3 happen or would happen, guarantee.

4
5 But again what I've noticed in the years four people
6 in a board meeting will come up with the ideas of what
7 to do and how to do it. And then it's just a matter
8 of the board. Then I'd go Downtown and try to sell
9 it, good, bad, right, wrong and nobody shows up. So
10 now when we do come up with the final plan, which as
11 Tim said is a year and a half from now, you know,
12 before it goes to the legislature we can say we talked
13 to 50 plumbers in Idaho Falls, Pocatello. We hit them
14 all. Here's what they had to say. Industry wants it.
15 It's cost effective. You know, I'm not adding burden
16 to you. So keep that in mind as we go through this.
17 Um, anything else on permits that you might have,
18 thoughts or ideas?

19 Sibbett: Back to the first thing on expiring permits, you know,
20 with some of these houses take a year and a half to
21 build. I mean they're not like these jobs that are
22 120 days and we're done.

23 Nielsen: No.

24 Sibbett: I think, I think -- I would like to see them good for
25 two years.

1 Nielsen: If you -- so if it was good for two years, then you
2 wouldn't have an issue with a reactivation fee.
3 'Cause what we see on our end, you know, these keep
4 going, keep going. Codes change and, you know,
5 depending on what's going on they'll call in and it
6 just keeps getting bumped. I mean we've got -- you
7 know, I've seen five-year-old permits that never had
8 an inspection because -- but they knew to call before
9 it expired. But that's what we're looking for, ideas
10 like that. So I appreciate that.

11
12 Uh, the commercial side, anything -- is that good to
13 go, percentages? All right. Let's get into
14 licensing. Does anybody want to see anything
15 different? And let's just start with apprentices.
16 And if you're going to play lawyer, apprentices are
17 registered, so kind of like the general contractors.
18 But anything on the apprentice side you guys would
19 like to see changed? Yeah.

20 York: Yeah. My name is Kelly York. I'm a plumber
21 contractor, public works, all that stuff. Um, this
22 industry is in desperate need. We need a helper
23 program. We can't get kids in even to come out and
24 see if they want to be in the trade without saying you
25 have to go be an apprentice. Um, God the help the

1 program, we're stagnant with what's locked up and for
2 apprentice program who are already working for
3 somebody, how do we bring somebody new into the
4 industry at 18 years old, a farm kid, and have them,
5 hey, come help us on a job and see if you like this,
6 this, uh, this trade. And then once you take him to
7 lunch and tell him (inaudible - 00:11:32) the state
8 for four years and then they quit 'cause a 19-year-old
9 kid doesn't know what they want to do.

10 Nielsen: Okay.

11 York: That's hugely important.

12 Guerrero: So Nate, a journeyman, uh, and an instructor at CEI.
13 Um, the schools do have, um, a program where they're
14 bringing in high school students for a career looksee,
15 um, instructors, plumbers, auto tech, every one of us,
16 electricians and all do, uh, get to give presentations
17 to students. Um, so in fairness there is a bit of
18 that going on. We do get to present ourselves, um,
19 through the schools. Uh, I see what you're saying
20 though. We're not necessarily getting them in the
21 field to give them a lot of hands on but, but --

22 (Crosstalk)

23 York: Yeah, we need to get them in the field but shuffling
24 their hand or -- nobody is asking a helper to put pipe
25 together but getting them out there to, to see how the

1 process works. And hey, but I had this argument with
2 -- or a discussion with a, with a -- one of the
3 inspectors. I'm not going to mention names. And he
4 said well a lot of the -- what we were seeing is the
5 contractor would leave a helper stuck in, in the
6 helper position. I said well wait a minute. This
7 isn't a police state. Uh, you know, that's up to that
8 helper. If he wants to be a helper for 10 years,
9 that's on him. If he --

10 Male 1: Right. That's his choice.

11 York: -- he could put on his pants and quit and go somewhere
12 else that would allow him to become an apprentice or
13 he can go be an apprentice himself.

14 Nielsen: So before I get to you, let me just throw something in
15 here real quick. But this is what we're looking for.
16 This is great. And after your comment or question,
17 I'll throw something out to you and we'll see where it
18 goes.

19 York: Okay.

20 Sibbett: Kim Sibbett, contractor. Um, I, uh, it's like me. I
21 want to hire my grandkids to come out and help me for
22 one day or two days. They're summertime help.
23 They're going to school. I need help during the
24 summer to dig trenches, backfill trenches. The grunt
25 work that -- and they -- they're willing to do it but

1 I can't do it because they gotta be registered.

2 Nielsen: Okay. Now let me -- seeing where this is going, I
3 don't feel like I'm going to get anything thrown at
4 me. And listen to how I phrase it. What if we got
5 rid of apprentice registration? The card itself.

6 Sibbett: What's that going to do?

7 Nielsen: It's going to let you hire -- have your kids work out
8 there. It's going to not have the -- okay, you know,
9 because some people 50 bucks for five years, you know,
10 out of their pocket when they're trying to get
11 started, you know, we're not getting rich off of it so
12 it's, it's not like anything's going to go there.

13

14 The civil penalties, so when you got your guy out
15 there you went to a supply house and you find the
16 apprentice out there unsupervised, you know, there's a
17 -- oh what's -- there's a new -- and I'll say it's not
18 new but in DOPL, DBS permission-less innovation. How
19 can you guys accomplish what we have here without us
20 regulating it down to the gnat's ass? So you'd still
21 -- they'd still have to show four years of OJT.
22 They'd still have to show four years of school. But
23 you would be the ones verifying that okay they were
24 doing it. We didn't see anything from a contractor, a
25 journeyman that wouldn't count. And again, this is

1 just ideas.

2 Anderson: So Josh Anderson, contract plumber. I like where
3 you're going, but without signing up for that four-
4 year card, how would anybody verify the years?

5 Sibbett: But you.

6 Anderson: I mean say I just signed a card because I like the
7 kid. Like I'm done with him. Let -- you know, what's
8 to prevent me from doing that? I live by my own self-
9 conscience here because we all went through hell to
10 get here. We don't want to just hand it to the next
11 guy 'cause we like him. But --

12 Nielsen: But your end goal was journeyman, right?

13 Anderson: Yeah.

14 Nielsen: If they don't come to us without showing that they did
15 the four years, did the school, they're not going to
16 be a journeyman. And there's guys --

17 (Crosstalk)

18 Anderson: -- schools. If they didn't sign up --

19 Nielsen: We -- if the schools don't show us four years of
20 certificates --

21 Anderson: Okay.

22 Nielsen: -- they don't have any education as far as, you know,
23 we look at it.

24 Bates: Yeah. Um, Matt Bates, College of Eastern Idaho. I, I
25 actually, um, am the manager of all the apprentice

1 programs at CEI. Um, we already do that. We already
2 make sure -- part of my job during the day is
3 literally checking credentials for guys that are
4 coming into my program. So we don't, we don't even
5 care about the license. I don't care if a kid has a
6 license. I don't even ask him.

7 Nielsen: And it's good to see --

8 Bates: If he wants to go to school --

9 Nielsen: -- them face to face.

10 Bates: Yeah. If he wants to go to school, I let him go to
11 school because who am I -- you know, maybe he's going
12 to high school or maybe he's working another job while
13 he's trying to get his apprenticeship done. I won't
14 deny the education, so. But I do make sure that as
15 they progress through the years they've got the right
16 education and the right hours in.

17 Nielsen: So again, this is what we're here to kind of kick
18 around, come up with some new solutions because, you
19 know, on our end, okay, he was registered. Was he
20 still working at McDonalds or Burger King those five
21 years? He went to school. You don't have to be
22 registered to go to school, and you don't have to go
23 to school to be registered. You know, for the 50-
24 plus, you know, older people here who when we had our
25 one year card. Before it got renewed I had to show

1 them a one-year certificate. That's -- those days are
2 gone.

3 Sibbett: I guess that would be -- the, the question though is
4 how, how would the contractor or the employer verify
5 that this kid is a, a first, second or third level.
6 Anybody could say -- I've had a ton of apprentices
7 come through and they tell me they're a fourth year
8 apprentice and they don't know how to solder a pipe.
9 I have no way of verifying.

10 Bates: Do we now?

11 York: They're, they're, they're an apprentice.

12 Sibbett: Yeah. I mean ask for their apprentice card.

13 (Crosstalk)

14 Nielsen: You can ask for the apprentice card and see that
15 they've been, uh --

16 Sibbett: -- it's easier to pay something more than it is to
17 take money away from them.

18 Nielsen: Registered for four years and if they can't solder, is
19 that -- that's --

20 York: I understand that but when you're hiring somebody and
21 you're hiring somebody based off of, off of what they
22 put on paper, I obviously can fire them pretty
23 quickly. But you have to be able to gauge that person
24 at the entry pay level.

25 Anderson: I, I really like the idea of that helper position

1 because I, I've got a 14-year-old son, and I say you
2 don't have to be a plumber. But I want you to go to
3 work with me, and I want to teach you the trade that
4 you can stick in your back pocket if working in the
5 site doesn't work out, you know. And, and I'm not --
6 you know, I don't have a problem handing him 50 bucks,
7 but I don't feel like -- I don't feel comfortable with
8 you guys just kind of getting rid of the
9 apprenticeship program.

10 Nielsen: See, but you didn't listen to what I said.

11 Anderson: Well no, you're right.

12 Nielsen: Me giving you a card for --

13 Anderson: Right.

14 Nielsen: -- four years or five years is not the apprenticeship
15 program.

16 Anderson: Right.

17 Male 2: How many of us even carry our cards. That's the thing
18 as an apprentice. Most of them are on their mom's
19 dresser.

20 York: Well I guess if you get rid of the card, like I said,
21 I still think there's a need for a helper program.

22 Male 3: Absolutely.

23 York: Just because they don't have a -- now, now what you're
24 doing is we're encouraging people to kind of slide in
25 under the radar 'cause they don't have a card. So

1 there has to be an agreement that, hey, a kid can come
2 in at entry level just to put his feet in the water
3 and he can leave if he don't like it. But if you want
4 to, whether you're a first year after trying it or
5 your 10th year you finally decide, you know what,
6 maybe I ought to become a plumber, then, you know,
7 there's that whole area where he's not an apprentice
8 or he's not a journeyman. He's a helper, and he's
9 just basically labor.

10 Nielsen: Okay. I'm -- one more and then I'm going to --

11 Winn: Yeah, Steve Winn, journeyman with First Call Jewel.
12 Um, my concern with the helper program -- I see the
13 need there, um, but I think if you have a helper
14 program it should be a time limit on that or a
15 seasonal permit because --

16 York: Why?

17 Winn: -- what I think happen -- will happen I think we have
18 to look at the forecast of the implication of what
19 that looks like 10 years from now. So if you've got a
20 contractor who's just trying to be competitive, you've
21 got to pay your apprentices for their advancement and
22 their schooling, their education, and when they get
23 carded. If we just have helpers at low pay, now it's
24 going to shift the way we look at business altogether.
25 I can have helpers from here on out, none of them are

1 apprentices but I've got them working on the job.
2 I've got -- I can pay them as little as possible. You
3 know, what are we doing to our industry when we
4 devalue our own trade? So I think that should be
5 either seasonal permit or something there but not just
6 free reign helpers forevermore.

7 Nielsen: Okay. I'm going to move on, but I'm going to say one
8 thing real quick on this because again this is open
9 forum. If you guys think of something, you can email
10 me, give me a call, you know, after this. This is
11 just a one-time deal. When you talk about adding
12 another card, a helper card or something, it's kind of
13 going the opposite way of what we're trying to do. So
14 you know, it's not that difficult to say leave the
15 card there, don't mess with it and be done with it,
16 and we can move on to the next topic here. So but I
17 mean keep them coming.

18
19 Well now I'm going to go back to the apprentice one
20 though real quick because this affects the Idaho guys.
21 Right now out-of-state can come in, show eight years
22 working legally in the state they come from, and can
23 sit for the journeyman exam. How do you feel if, uh,
24 the Idaho guys had that option? Forget work -- they
25 still got the registration, all that.



1 Sibbett: What do you mean? Us, us go to another state?

2 Nielsen: No.

3 Sibbett: We have no --

4 Nielsen: No. An Idaho guy comes in, registers with DOPL, and
5 if he works legally in Idaho with his registration
6 after eight years, would you be okay with him taking
7 the journeyman's exam?

8 Sibbett: If he's been working as a journeyman for those eight
9 years, yes.

10 Nielsen: Not as a journeyman. He's an apprentice. He's
11 working for eight years.

12 Male 4: Is that without school? Without school.

13 Nielsen: Mm-Hmm.

14 Male 4: Without schooling --

15 Nielsen: 'Cause right now --

16 Male 4: -- no.

17 Nielsen: -- anybody around us can come in and work in any other
18 state, and if they show they worked for eight years,
19 they get to sit for the journeyman exam.

20 Male 4: And that's all you look at is the eight years?

21 Nielsen: Mm-Hmm.

22 Clark: Bryce Clark, uh, plumbing contractor. Um, you know,
23 I'd be against that totally. Uh, they need to go to
24 school. It's part of the process, so I wouldn't be
25 for that at all.

1 York: I, I disagree. I think if they can pass the, the test

2 --

3 Nielsen: It's Mike, right?

4 York: Kelly. Sorry. Kelly.

5 Nielsen: Kelly.

6 York: I think if a person can pass a test. Like I said, I
7 think we're getting too involved in other people's
8 business. If a person can come in and show that they
9 have aptitude and can pass the test, then when they go
10 get a job, if they can't perform and pass the, the
11 permits, they'll lose their job. We don't need to
12 police them.

13 Guerrero: Um, Nate. Um, I'm actually kind of following with
14 Steve here on this one on the last comment. I -- I'm
15 against that, uh, simply because, uh, I can get my
16 first year guys to find everything they need in the
17 codebook well enough to pass a journeyman test. It
18 doesn't mean they know IDAPA. Um, but no I --

19 York: But can they do the practical?

20 (Crosstalk)

21 Guerrero: Well in there we do have some stipulations going with
22 the practical. I just don't think that having an
23 eight-year laborer is going to do anything for, um,
24 somebody turning out as a journeyman.

25 Dickson: Well if, if he's an eight-year -- Kord with Sermon.

1 If he's an eight-year, uh, helper, he's got a lot of
2 experience (inaudible - 00:24:31). Okay. He should
3 not have any experience but might get it. He's a
4 helper.

5 Guerrero: Technically true.

6 Dickson: That's right.

7 (Crosstalk)

8 York: He's a ditch digger.

9 Dickson: So --

10 York: He's an eight-year ditch digger.

11 Dickson: Okay. There, there should be no question there. He
12 is a helper. If he goes out, he grabs pipe, brings it
13 in, sets it down, and goes out and digs, digs a hole.
14 That's what a helper does. Okay.

15 Nielsen: All right. We're going to get it back on track here
16 well because --

17 Guerrero: Yeah. I think we're on the same page.

18 Nielsen: The only -- I'm going to throw out an example though.
19 There was a guy worked in Magic Valley four years for
20 a plumbing company, could show me all his paystubs.
21 He didn't go to school. So he gets to start over for
22 another four years.

23 York: That's his fault.

24 Nielsen: I agree but at the same time, you know, I don't think
25 you're -- and this is just my opinion. If a guy's

1 registered, working for somebody out there for eight
2 years and wants to sit for the exam, is that something
3 the state should regulate? And again, no decisions
4 made here but, you know, I'm going to -- 'cause I get
5 the general gist of the room, so. But again, if you
6 come up with something, let me know.

7
8 Does anybody see anything that needs to be done with
9 the journeyman exam? Right now rule basically you
10 take it, you pass it, then you get the practical. The
11 practical is a hot topic. Does anybody -- again, I'm
12 going to go with my opinion. If they're out there
13 working with all you great contractors and doing
14 everything the way they should be doing, do they
15 really need to come into a lab, dry fit some pipe have
16 one of my --

17 (Crosstalk)

18 Nielsen: -- inspectors go in there and give him a card?

19 Dickson: I agree.

20 York: Yeah. That's (inaudible - 00:26:38).

21 Nielsen: Raise of hands. Who thinks there needs to be a
22 practical? Okay. Plumbing contractor licenses, the
23 electricians anybody can go in and get their
24 contractor, their business license. It's been kicked
25 around, you know, years past on the plumbing side. Is

1 that something you guys think you'd like to see?
2 You'd still have to have your registered apprentices,
3 your licensed journeymen out there working, but
4 somebody come in, test for the business, do the
5 paperwork, run the business day to day operations.
6 But out in the field you're still licensed tradesman.

7 Dickson: Not sure what the question is.

8 Male 5: I'm just trying to follow you. You're saying they're
9 not a plumber at all but they can go in and just get
10 the plumbing license and then as long as they have the
11 higher people in the field they can be a plumbing --

12 Nielsen: It's not -- it's a -- it would be a plumbing business
13 license.

14 Anderson: They wouldn't be contractors but the business could
15 have the license and hire journeymen --

16 Nielsen: Yes.

17 Anderson: -- to do the work.

18 Nielsen: Yes.

19 Dickson: So no.

20 (Crosstalk)

21 York: What is a contractor's license then if that's the way
22 if that's the way you're saying it's going to be or --

23 Nielsen: I'm not saying anything is going to be.

24 (Crosstalk)

25 York: It shouldn't go that way.

1 Male 6: Would they have a qualified individual?

2 Nielsen: You would need a qualified individual, yes.

3 York: I'm totally against that. I mean you're, you're
4 setting yourself and the industry for failure. You're
5 going to get these people that build track houses come
6 in. They're not going to hire anybody. They're going
7 to come in, take a business license. They're going to
8 go out, hire some guy be a journeyman, and he's going
9 to, he's going to cut everybody out of it.

10 Nielsen: He'd still have to have a contractor because
11 somebody's has got to pull the permit. I mean I'm
12 sure you guys have heard of somebody sitting there
13 collecting a check for \$500 a year or a month.
14 They're the contractor. They hold our current
15 contractor's license. But they're not doing anything,
16 and they got a journeyman out there.

17 Anderson: So you're saying a business would come in, get a
18 business contracting permit, and then have to hire a
19 licensed contractor --

20 Nielsen: I'm, I'm saying if your wife wanted to run the
21 paperwork side of your business, she can go in, take
22 that test, and become the plumbing contractor.

23 Anderson: Okay.

24 Nielsen: She would still need a journeyman out there in the
25 field and, you know, again, however we arranged it

1 like the electricians. Something to think about.

2 Anderson: So to go back to what Ken was saying, so like a bigger
3 builder in the area, any of them --

4 York: Yeah, they could take a --

5 Anderson: -- they could have somebody -- they could go and take
6 the test and then they could go to like other
7 companies and take their journeyman's and say hey come
8 work for me and basically have -- plumb their own
9 houses, right?

10 Nielsen: Can't you do that right now? If you got enough money
11 and enough work, go around and offer a journeyman more
12 money.

13 Sibbett: Yeah. I think we're all totally against that.

14 Dickson: Yeah.

15 Sibbett: Fort the record.

16 Nielsen: One more on the licensing. And does anybody -- do you
17 think we should sit and hold the two licenses
18 journeyman and contractor? You have to be a
19 journeyman to get your contractor, but once you got
20 your contractor do you --

21 Sibbett: That's not what you said in the last statement.

22 Nielsen: This is a different topic now.

23 Sibbett: You didn't have to be a journeyman to get a
24 contractor.

25 Nielsen: As a business license. Right now I'm saying --

1 Sibbett: A contractor's license --

2 Nielsen: -- I'm saying that topic is over and I'm saying do you
3 want to sit and have to make sure that your journeyman
4 -- you watch your journeyman may expire and then you
5 watch your contractor may expire and make sure it's
6 all the same or because you went to -- you got your
7 journeyman's card, you waited two and a half years,
8 you took your contractor's test, now you're a
9 contractor. You don't have to show that you have a
10 journeyman -- an active journeyman's card.

11 Sibbett: That's fine as long as you keep that contractor's
12 license up and do the continuing education that's
13 required. I'm fine with that so we don't have to, uh,
14 retain two licenses, pay for two licenses.

15 Nielsen: And that's what I'm getting at.

16 Anderson: Yeah.

17 Nielsen: 'Cause we're -- you know, I get so many guys that let
18 their journeyman's expire because that's a different
19 date. Their contractor is still good. And all of a
20 sudden the contractor goes and we're like, sorry, you
21 can't do anything. You know, or technically if their
22 journeyman expires and they're out in the field
23 working, they shouldn't be working 'cause their
24 journeyman expired.

25 Dickson: Right.

1 Nielsen: That would go away because --

2 (Crosstalk)

3 Nielsen: -- you did the stuff to get your contractor's.

4 Dickson: Yeah. You'd only have to worry about one license.

5 Once a --

6 York: How are you going to keep track of that when you got -

7 - if you have contractors out there, pretty soon they

8 got a contractor's license so they got the right to do

9 whatever they want anyway even though they were never

10 a journeyman because you gave them a business license.

11 Nielsen: An out-of-state -- please, get off the business

12 license.

13 York: No, but that's, that's what you're doing. You're

14 short-circuiting the whole system.

15 Nielsen: No, I'm not.

16 York: There's nothing wrong with taking out a journeyman

17 license and keeping it up.

18 Nielsen: And that's what we're, you know, here to get the

19 opinions on.

20 Guerrero: But he brought up a good point. So like back to what

21 we were talking about is somebody, you know, got their

22 contractor license, you know, they could kind of --

23 (Crosstalk)

24 Guerrero: Could they technically go plumb? Like how do you

25 differentiate like us that went through the system,

1 were journeymen, they got the contractor? It's just
2 somebody that technically can't plumb but they have
3 the contractor license? You see what I'm saying. How
4 can you differentiate out in the field? Can they
5 really be plumbing?

6 York: They show you the contractor license. Here it is.

7 Nielsen: I'm going to ask Warren to explain the electrical side
8 of it real quick just so --

9 Wing: Okay.

10 Nielsen: He's our Electrical Program Manager.

11 Wing: So the electrical program does this right now. Right.
12 And they've been doing it for years. And the -- when
13 they started it was, it was a way for a lot of
14 (inaudible - 00:33:11) different ways where, um,
15 people to get -- there's, there's things you can do
16 when you're like a minority owner and stuff like that
17 of a company. And it wasn't just that. Other people,
18 you know, businesses, businesses that wanted
19 electrical contractor companies. So it's -- you got
20 to, you got to look at it as a completely separate
21 thing, right.

22
23 It's you got -- let's say I wanted, I wanted -- if
24 something like this happened. Let's say I wanted to
25 own a plumbing company, right. I would have to hire a

1 master plumber, if you will. Okay. I would take the
2 business test. I would do all the business side of
3 it. I would do the books. I would do the taxes. I
4 would run it. But the master plumber -- like right
5 now it's a master electrician, he's the guy that's
6 basically responsible for all the installations. And
7 the way the laws are written up is if he doesn't make
8 -- if he changes his license or business power, he can
9 actually lose his license. Okay. All the business
10 stuff is ran by the business person.

11
12 You know, what we have a lot of times we had the wife
13 would run the company and she would be -- they were
14 different (inaudible - 00:34:15). They would get, you
15 know, minority credits for all kinds of different
16 stuff going on. And the husband as the master
17 electrician would be the signatory supervisor. So
18 that -- the contractor, the person who takes the
19 contractor test, they don't have a trade license.
20 They can't do any work out in the field, and they
21 don't do any work out in the field.

22
23 If they want to do work out in the field, they got to
24 go get a journeyman license and they got to get their
25 hours underneath that master electrician, right. So

1 all it's doing is just giving -- it's just giving
2 somebody an opportunity to run the company. You still
3 got the master electrician. In your case the master
4 contractor. And in our case the way it works is
5 exactly like that. The guy, if somebody comes in to
6 get a contracting company, they can't do electrical
7 installations period, at all.

8 York: Sure they can. They just have to hire an electrician
9 or a journeyman to do it.

10 Wing: Well they can't physically do it.

11 York: No, but they hire the people.

12 Wing: Yes.

13 York: You can have an out-of-state contractor come in --

14 Wing: Which is no different, which is no different than if
15 I'm a plumbing -- if I'm a master plumber or what you
16 guys call a journeyman plumber or whatever, it's no
17 different that if I'm a journeyman plumber and I hire
18 somebody and I sit in the office and do all the work.

19 (Crosstalk)

20 Anderson: I think what we're scared of is -- and I'm just going
21 to use a name like Fall Creek. Fall Creek comes in,
22 applies for their license, and says hey, buddy, we
23 don't need you anymore 'cause we got this journeyman
24 and contractor and because we're going to do 400 homes
25 a year, we're going to give him all the work and pay

1 him this much and you're going to -- we're going to
2 take this much from you. And I think that's what all
3 of us are scared about.

4 Nielsen: No. I understand. Again, it's --

5 Anderson: And so I, I -- and I don't even remember your original
6 question. But that's what we're all scared of is like
7 losing these contracts with these contractors who do
8 tons and tons of work.

9 Wing: They, they can do that now.

10 Anderson: Not really because they have to hire a contract
11 plumber that doesn't work for them and take bids from
12 us. See, if he owns your -- if he owns a contractor,
13 he's going to say I'm paying you 50 bucks an hour.
14 Get out there and get it done and he keeps all the
15 money which that's my job. I don't want to do that to
16 Fall Creek or whoever. I don't want to --

17 Nielsen: Okay.

18 Anderson: -- give them that power.

19 Nielsen: I got Idaho Falls down as a no.

20 Anderson: Thank you.

21 Nielsen: The next --

22 Anderson: So what was your electrical question?

23 Wing: It was (inaudible - 00:36:48).

24 (Crosstalk)

25 Anderson: As a contractor now, I feel like I don't, I don't need

1 my journeyman license because I got the stuff up.

2 Like it should just carry it.

3 Nielsen: Let me -- hang on now. Let me get -- so the original
4 question was should the contractor license be a
5 business or an individual license. So on that one I'm
6 going to say you don't want it as a business license.

7 Anderson: As a business license, no. But as me being the
8 contractor, the businessman, I don't want to have to
9 renew my journeyman.

10 Nielsen: So show of hands on once you get your contractor's
11 license 'cause you've gone through the steps, how many
12 would like to carry just one card? Wow. How many
13 don't? How many don't care? Because half of you
14 don't care.

15 (Crosstalk)

16 York: It is one card. It's just written on the back.

17 Nielsen: You know, you're right.

18 York: All they do is add things to the back of it. It's
19 just still one card.

20 (Crosstalk)

21 Nielsen: So I'm going to put Idaho Falls down as a yes for that
22 one.

23 Anderson: Well on your continuing ed though, those hours all
24 roll in together. So it really -- like he's saying,
25 it really doesn't matter because my, my journeyman and

1 contractor hours and continuing ed covers both of it.

2 So I guess I don't care.

3 Nielsen: Don?

4 Don: Is there any way to turn it around and when you go get
5 your contractor's license so instead of having to
6 remember a few dates they just put it down as one
7 date?

8 Nielsen: That's something we need to be looking into. Yes.

9 (Crosstalk)

10 Don: Because that way you don't have to worry about it if
11 you got your contractor. You're a journeyman. It all
12 comes to you all in one shot so you don't have to
13 worry about two types of year --

14 (Crosstalk)

15 Nielsen: No. And we are working with this new merger and
16 everything -- and you guys probably know full well our
17 system right now is about had it, and we're still
18 limping it along because with the consolidation of
19 occupational licensing, the Division of Building
20 Safety, the med boards and everything we're coming up
21 with a new computer system they're trying to get, you
22 know, so it all works together. But the dates the
23 same, yes. There's no reason we shouldn't be able to
24 do that.

25 Dickson: Or eliminate the journeyman when we become contractor.

1 Nielsen: Or that. But again, seven of you raised your hand,
2 four of you --

3 Dickson: Okay. (Inaudible - 00:39:22) plumber contractor, not
4 a plumbing business. Okay. Plumbing and business
5 license allows you to do plumbing. What you have to
6 do is have, have a contractor or a journeyman working
7 for you.

8 Sibbett: Yeah, 10 bucks and you (inaudible - 00:39:41).

9 Dickson: Right. That's what's saving you. It's not a big
10 deal, so.

11 Nielsen: How about continuing education?

12 Dickson: No.

13 Anderson: No.

14 (Crosstalk)

15 York: I have screenshots of my continuing education has to
16 be what tool would I use to cut cast iron pipe and
17 other questions what do I do if one sprinkler has got
18 more pressure than the other. I mean what we're -- if
19 a person is not a good journeyman, the market will
20 weed itself out.

21 Nielsen: So --

22 York: We shouldn't have to sit there and take a test if
23 we're on our computer. It used to be it was a good
24 idea if the manufacturers would come to the supply
25 houses and they'd give credits. The supply houses

1 aren't doing that anymore because the paperwork fiasco
2 and so now all we're doing is sending, every one of
3 us, 150 bucks to Oregon to somebody that doesn't care
4 what's going on in Idaho and they go what color is
5 your -- what do you do if your dog comes in with shit
6 on his feet? I mean they're stupid questions.

7 Guerrero: Um, Nate, instructor. Um, I am all for continued
8 education, um, simply because I've worked around
9 enough people in the field that more of us forgot a
10 lot of things or don't know, uh, new things coming
11 out, and it's all a surprise to them when the
12 inspector comes out and tells them they did something
13 wrong or whatnot. But I don't necessarily like the
14 online side of things. Um, I do like the idea of more
15 face-to-face stuff with school or if somebody would
16 sit down to talk about it and whatnot, um, because I
17 also think I know more people that pay their kids to
18 take the online stuff than actually doing it
19 themselves. So I'm for education, the continued ed
20 but not necessarily the current route of it.

21 Nielsen: Anybody else got any -- Don.

22 Don: I say continuous education we keep it that's in there
23 because doing it as an inspector side of it there's so
24 many times that I walk in the job and say no that's
25 not right, and then I turn around and they're like



1 well when did that change or when did the state do
2 this or when did this and this and this. And then I
3 have to sit down there and explain it, and then I've
4 even gotten to the point where it's well show me where
5 it is in the book. It's in there.

6 York: But the continuing -- the online stuff doesn't address
7 it, any of it that's in there.

8 Don: The thing is though on that point of it that's in
9 there the state has come out and says yes this program
10 meets our criteria that's in there so long as --

11 Nielsen: Go ahead.

12 Anderson: I, I don't mind continuing ed, but I felt like online
13 just wasn't applicable to my trade. Like drainage,
14 drain water, rainwater in Idaho, who the hell cares?
15 Put it down a downspout and get on with life. This
16 isn't Washington or Oregon. But I do -- I mean if you
17 guys were like we'll have a class on this night for
18 four hours or whatever and this is it, I would be
19 here.

20 Nielsen: Yes.

21 Anderson: But I don't, I don't -- the online wasn't applicable
22 to me. So I -- that's why I said I don't like it. It
23 was a waste.

24 Nielsen: So --

25 Anderson: I would take a class. I would do something in person

1 where like Don can say, hey, when you build these
2 valves you're doing it wrong. This is what it needs
3 to look like. Oh, okay. You know, because him and I
4 had this problem, and I fixed it. So I, I understand
5 what he's saying but -- okay.

6 Nielsen: Don.

7 Don: See, I, I -- I don't know. I'm going to kind of throw
8 it back on even the owners that are in there because
9 as far as I know, anybody can go in there and throw a
10 program in to DBS and say, hey, I want to be able to
11 teaching continuous ed.

12 (Crosstalk)

13 Nielsen: They do have to meet minimum standards.

14 Don: Yes, they have to meet the standards for the state.

15 Nielsen: And they have to be a journeyman or like the
16 wholesalers, you know, those guys have --

17 (Crosstalk)

18 Nielsen: Yeah. And I'm assuming that, you know, Viega (ph),
19 the guy out there putting in -- putting on the program
20 for Viega works for Viega and, you know, and they do
21 send in on letterhead that they're with Viega or
22 whoever. But so would you do anything hour wise,
23 change any of that up?

24 Dickson: Required hours?

25 Nielsen: Yes.

1 (Crosstalk)

2 York: Hours would be fine if they would just use --

3 (Crosstalk)

4 Nielsen: Well I can tell you though that you will get half as
5 many people saying they don't want to take the time to
6 go to an online class. And again, anybody you hold a
7 journeyman's card can create classes and hold classes.
8 You know, so it's not -- these are the people that
9 just send in their stuff to meet the minimum
10 requirements and we could put it out there for you.

11 Male 7: I'd just like to see Idaho build their own course, you
12 know. We'd have our own education for journeymen and
13 -- or for apprentices and whatever. I mean if there's
14 a way you can do this, then do it ourselves rather
15 than go to Oregon. I mean that's, that's my feeling.
16 What they do in Oregon and Washington doesn't always
17 necessarily meet what we're doing here.

18 Nielsen: All right. Specialty licenses. I mean I'm assuming
19 most of you are full-fledged journeymen contractors
20 but is there any of the specialty guys? Bill, which
21 one do you hold?

22 Hill: Uh, I've got a four excavation. But what I wanted to
23 ask you about -- I hope I'm not talking out of turn
24 here. I, I have a jurisdictional question.

25 Nielsen: Okay. And your name.

1 Hill: My name is Reed Hill. I have a company called 3 H
2 Construction. We are an excavating contractor. My
3 question is in line with the jurisdiction no -- I'm
4 not interested in getting into the plumbing field. I
5 have brothers that are involved in that and family.
6 But we do the excavation and the exterior work that
7 tie into the plumbing.

8
9 The question I have is we come out of the public works
10 division in the, in the city streets. We're running a
11 collection line. We're 12 feet deep. We have to
12 satisfy OSHA standards and run to the direction of the
13 professional engineer. Well all of a sudden we run
14 that collection line into a property that we find out
15 it's a private line even though it's on the plans and
16 it's been engineered. The plumbing inspector comes
17 along after that line is buried and says we'll I got
18 to inspect that. And I'm saying no. This is a public
19 works.

20
21 The problem we've got is we've tied in out in the
22 street which is public works. That eight-inch
23 collection line moves into the private property. We
24 discover that it's not -- the easement isn't wide
25 enough so the city hasn't accepted that as a public

1 works line. Now the plumbing department is claiming
2 jurisdiction on that.

3 Nielsen: So are we talking just like feed into the property
4 line or are you --

5 Hill: No, we're talking about 150 feet into the property.
6 Now we lay T's on there to -- for the service lines
7 and my understanding is is the service line is under
8 the direction of the, of the plumbing department.

9 Nielsen: From the building to the collection line.

10 Hill: From the building to the collection line.

11 Nielsen: Correct.

12 Hill: But the plumbing inspector is telling me no. I've got
13 to see that whole eight-inch line and, and I'm having
14 some real heartburn on that because as a public works
15 contractor we're under certain criteria on how to
16 install that line. We have their test. We have to
17 camera the line. We have to jump through all those
18 hoops. Now he comes along and says I've got to see
19 that and I'm saying no.

20 Nielsen: Now without --

21 Hill: You're, you're, you're not going to see that because
22 that line is, is eight, nine feet deep. If you wanted
23 to see it, you should have been there while we were
24 installing it because we have a safety issue here.

25 Nielsen: Was that the state's jurisdiction?

1 Hill: The, uh, the collection line?

2 Nielsen: Well what's your -- the situation you're talking
3 about?

4 Hill: The situation I'm talking about is, is we come out of
5 public works out on the city street which is under the
6 direction of the city under public works.

7 Nielsen: Was it a plumbing -- a state plumbing inspector though
8 that --

9 Hill: Yes.

10 Nielsen: Okay. We can talk about this afterwards.

11 Hill: Okay. I'd, I'd like to do that. I got other things I
12 need to get to, but I'd like to get -- if your phone
13 number is on here, I'd like to have a conversation --

14 Nielsen: Sure. And just so you know, I got cards back there.
15 And don't -- you know, before you leave sign in too.
16 A little reminder. But I do have cards, but I'll get
17 with you afterwards.

18 Hill: If I can just ask a question. I can come back. I've
19 got some things I got to take care of here for about
20 45 minutes that I need to leave. Will you still be
21 around?

22 Nielsen: Possibly.

23 Hill: Okay.

24 Nielsen: I got to clean up the room and everything afterwards,
25 so.

1 Hill: 'Cause I'd like to visit with you more on that --

2 Nielsen: All right.

3 Hill: -- and help your understanding.

4 Styman: Do you want me to talk to him?

5 Nielsen: Okay. Yeah. Do you want to talk to -- actually yeah
6 'cause he's the supervisor for the inspectors here,
7 Josh Styman (ph).

8 Hill: Thank you.

9 Nielsen: So now we get to the code amendments. And looking
10 through here, we have in the current IDAPA code 50
11 amendments, and honestly I think that a lot of them
12 have been put in place to try and help industry and
13 the consumer. I know there's some here -- and I'm
14 going to throw it out there -- that now is the time.
15 I'm not going to try and push getting the 2021 UPC
16 adopted in 2023. There's, you know, some changes but
17 not a whole bunch. I'm on the technical committee so
18 I can see these, and, you know, I'll throw out one of
19 them that's in the 2021 that I think's pretty good
20 idea and get you guys' opinion on it. Currently on a
21 three-inch horizontal line you can only have three
22 water closets. In the 2021 Uniform Plumbing Code they
23 went to five. You know --

24 Anderson: More work for the service guy. Go for it.

25 Male 8: Keep me busy.

1 Anderson: Let's do her.

2 Nielsen: But you know, whatever you -- you know, as you read
3 through -- and these are all online -- read through
4 these amendments. And you know, to me this is where
5 you have to ask yourself what's costly but not life
6 safety because yeah there's stuff in there that's life
7 safety. There's a lot in there that isn't. It's
8 convenience.

9
10 And the one I heard the most about when we adopted the
11 15 was the cleanouts. How many want -- you know,
12 again, you know, right now five-foot, you know, away
13 from the crawl and bases stacks above the floor, if
14 you don't like that, now is the time to let me know or
15 if you don't care. But again, it's any of this stuff
16 that you feel okay do we really need to go this route
17 or have it this stringent? Everybody's good with the
18 code the way it is.

19 York: For the most part.

20 Male 8: For the most part.

21 (Crosstalk)

22 Nielsen: One I would like to ask you about because it's been
23 brought up in the board meetings is we took, you know,
24 it's 94 and seismic straps on water heaters. It was
25 never enforced. We deleted it from the codebook. Now

1 we had that earthquake a year or two ago that we felt
2 in Boise and now all of a sudden they want seismic
3 strapping back. Show of hands how many is good with
4 it being out of the codebook?

5 Anderson: The county enforcement has to do it anyways, so it
6 doesn't matter.

7 Nielsen: Doesn't matter.

8 Male 8: Building code?

9 Male 7: Building code does it.

10 Anderson: But you're saying --

11 Nielsen: But there's --

12 Anderson: -- come back to the plumbing code?

13 Nielsen: Yes, yes. I mean there's -- there are people out
14 there that want it back in the plumbing code.

15 Male 9: I mean it's not a bad idea.

16 York: Then again, if you have an earthquake bad, bad enough
17 to knock that water heater over then it's not going to
18 matter. The house is gone. So I mean --

19 Nielsen: I mean as we go -- just so you know, as we go through
20 this Zero-Based Regulations and there's a form that's
21 on the administrative website, and this is, this is
22 the details on how to fill out the form. But when --
23 as we go through here and look at all these they --
24 and when I say they, the legislators, the governor's
25 office, DFM, everybody that looks at all our proposed

1 changes after it gets through the board, they are
2 going to want justification for it all. So keep that
3 in mind, you know, as you're sitting there thinking
4 about it over a beer tonight and you're coming up with
5 these ideas and you're like oh we need that to happen.
6 Great.

7
8 Let me know but if you got any, you know -- it's like
9 I went down there to get medical gas and the
10 definition of plumbing systems and statute the first
11 thing they asked how many people died from it not
12 being inspected? How long has it not been in that
13 statute? Ever since I started plumbing. All right.
14 Don't worry about it. So again, keep that stuff in
15 mind as we go through this process. It can't just be
16 a well we think this might happen and this could
17 happen. We'll need some examples and some, uh, data
18 on it.

19
20 The final one here, civil penalties. How many like
21 civil penalties the way they currently are? And what
22 -- I'll read to you here. You know, basically what it
23 says. So except for acts described in subsection
24 401.01 and 401.07, they're subject to a civil penalty
25 if not more than \$200 for the first offense and not

1 more than 1,000 for each one thereafter. And those
2 two offenses are acting as a plumbing contractor
3 without a license and then gross violations. The
4 others which are certificate registration, um,
5 performing work without a license or registration,
6 failure to let us know your history if you come from a
7 previous state, um, performance outside the scope of
8 the certificate, permit fees, inspections, and
9 corrections. Those -- actually those are the -- yeah,
10 those are the 200 to 1,000. The plumbing contractor
11 is 500 to 1,000.

12
13 So what we've discussed because the governor likes to
14 talk about, you know, reducing barriers and all that
15 stuff, if we go that route or, you know, somebody else
16 goes that route and we're sitting here with \$100 fine
17 for acting as a contractor or \$500 fine, you know,
18 this in my opinion should be -- have a little more
19 weight. And you know, I don't think anybody in here
20 would disagree with that, so.

21 Male 9: How often does state have a problem with that?

22 Nielsen: With?

23 Male 9: People acting as a contractor and --

24 Nielsen: Quite a bit.

25 Male 9: Quite a bit, huh?

1 Anderson: Raise the fine.

2 Male 9: Well if it's not working, then you need to fine --
3 (Crosstalk)

4 Male 9: It's not working.

5 York: (Inaudible - 00:57:21) other contractor as well. It's
6 a credible offense. That's got teeth on it when
7 people go out and you pay the \$100 fine and be over
8 with it. But if it's a misdemeanor, people pay a
9 little bit more attention.

10 Nielsen: Well I know when I was working for a contractor over
11 in Seneca -- I've been with the state for 17 years so
12 it's probably closer to 20 years ago working in
13 another state where they have boiler licenses. And I
14 hooked up a, you know, 200-gallon water heater. Well
15 it had hot water in, hot water out and, you know, two-
16 inch gas line considered as a boiler and my former
17 boss still hasn't forgiven me for the \$3,000 it cost
18 him when the inspector walked in and said you're doing
19 boiler work without a boiler license.

20 Anderson: And did you know you were doing boiler work?

21 Nielsen: I don't remember.

22 Anderson: See I, I would blame the boss and make him pay because
23 he didn't teach you. I mean nothing personal, but if
24 my guy was doing that, I would have hit him with a
25 freaking shovel.

1 Nielsen: Well you're the (inaudible - 00:58:29) because --

2 Anderson: And I would have paid worker's comp.

3 Nielsen: -- because an -- I won't get into it. So is there
4 anything else? I mean that, you know, basically goes
5 through our whole rules and again, that's what zero-
6 based is is strictly going over these rules.

7 Male 10: Now is that on the DBS website or is that on the
8 Occupational License website?

9 Nielsen: DBS. We still have a DBS website and our rules and
10 statutes are all still there.

11 Male 10: And that, like what you have there and the proposed
12 changes are on there.

13 Nielsen: No, this is the current. We didn't run any rule
14 changes last year --

15 Male 10: Okay.

16 Nielsen: -- because of the -- well the governor put a
17 moratorium on running rules, so plumbing was scheduled
18 to go before the legislature in 2024. When this DOPL
19 change happened plumbing, HVAC and electrical will be
20 going in 2023. So you know, we're starting now.
21 We're hitting nine cities on this tour collecting the
22 information, your thoughts, your ideas, and then like
23 I said, it will get pieced together. And it will go
24 through the negotiated rulemaking process in front of
25 the board and, you know, work its way to the

1 legislature. And I'd also like to say, you know,
2 comments, questions, you know, let me know if -- this
3 doesn't have to be, you know, between now and 2023.
4 You got my email address and everything else. You got
5 ideas. You don't have to wait, you know, to let me
6 know.

7 Male 11: Uh, like (inaudible - 01:00:17), I don't know if any
8 changes have been made specifically on this but mobile
9 home improved electric water heaters. Years ago we've
10 changed, changed up the (inaudible - 01:00:27).
11 Everything electrically, electrical contract to change
12 that and put in a regular water heater, got our hands
13 slapped for that. Uh, said that we needed a mobile
14 home approved to match the wiring but the wiring had
15 been changed and that was, that was a big debate.
16 Homeowner got upset, wrote a letter into the state,
17 and, you know, cheap -- homeowner washed their hands
18 and said no I'm not going to have you guys change it.
19 So there was some forgiveness and things. So what's,
20 what's going on with that, do you know?

21 Nielsen: I haven't heard a whole bunch. It, it kind of seems
22 to come in waves. But if you call me up and ask what
23 water heater can you put in a manufactured home, I'm
24 going to tell you the water heater needs to be listed
25 for it.

1 Male 11: Yeah.

2 Nielsen: So --

3 Male 11: So just the under -- you know, with the lower wattage
4 because of the wiring but if that's not -- you know,
5 to me it was just like if that's fixed that's taken
6 care of electrically, then it's still a no. And, and
7 so it just didn't make sense.

8 Nielsen: Well manufactured homes are regulated by the feds.
9 They're HUD.

10 Male 11: Okay.

11 Nielsen: Modulars are stick built that are done under a roof.
12 So a -- you know, a modular -- and you'll see there's
13 a different sticker out there on those. They're a
14 white and black kind of rectangular sticker that says
15 State of Idaho and all the building information stuff.
16 That's all been looked at in the factory inside. We
17 don't go inside that house once it's out in the field
18 'cause it's all inspected in the factory. But those
19 are all UPC, NEC, IRC built. And but the manufactured
20 homes, which are HUDS, whether they do it or not I
21 know they don't but they got, you know, piles of
22 manuals on what regulations are supposed to be met.
23 And so the simple answer on those they have to be
24 listed for manufactured homes.

25 Male 12: Is there a possibility when rules changes come up a

1 committee can give us a two-month period to comment on
2 them before they take them to a legislature for
3 change?

4 Nielsen: There is a certain amount of time, and I don't
5 remember what it is off the top of my head. I don't
6 think it's two months legally by the negotiated rule
7 side. But I know in the past when we've negotiated up
8 and note- -- I should say noticed it up there usually
9 is 'cause we go -- the board meetings are kind of our
10 public meetings for it and they're at least two months
11 apart, you know, every other month. So you know, I --
12 if you want the exact, you know, I can't tell you yeah
13 you can have two months but usually we do it it's
14 beyond what law requires us to do as far as having it
15 noticed. I mean --

16 Male 12: A lot of water heaters change. You know, they get
17 comment to change things before it goes to the
18 legislature and gets put into law. I mean it would be
19 nice to have the rules come out of what they're
20 intending to change that we have a period of comment
21 before it goes to the legislature.

22 Nielsen: Well what you get is -- when it's all said and done,
23 gone through the negotiated rulemaking process -- I
24 should say during that -- those rules are for the most
25 part read underlined, light blue strikethrough so you

1 could see what's coming, what's going. I mean you do
2 have to go to the website and look at it or, you know,
3 but they are out there. And when I say notice it up
4 that is the time period where you can go in and on our
5 website when we get to that point it will say
6 negotiated rule comments and you can comment on that
7 form. But also if they're out there and for whatever
8 reason, send me an email. I mean I work with the
9 board. I can handle the comments. And that's what
10 the legislature and the governor and everybody is
11 looking for is that your comments at least got heard.
12 Whether or not they were listened to, they saw them
13 and they heard them and it was there.

14 Male 12: Okay.

15 Nielsen: Anything else? Don.

16 Don: I got, I got a question that's in there. So the state
17 goes through their gas lines and everything it's
18 through the IFGC, Fuel Gas Code that's in there.
19 There's discrepancy for like teaching wise and taking
20 your journeyman's test. There's a discrepancy to
21 change in the Fuel Gas Code in the plumbing codebook
22 in the IFGC that's in there. Is there a way that we
23 can either get rid of the Fuel Gas Code in the
24 plumbing section and have it cut off at the IFGC
25 that's in there?

1 Nielsen: That's a good suggestion.

2 Don: Or even have it just go one way or the other and have
3 basically either plumbers do Fuel Gas Code or
4 mechanical guys do Fuel Gas Code.

5 Nielsen: I think --

6 (Crosstalk)

7 Nielsen: I was going to say I think, you know, getting one
8 trade to give up the gas line one way or the other is,
9 you know, wouldn't fly, but you're right. The UPC --
10 and I'm not going to say discrepancies -- they don't
11 match. There's some things in there that, you know,
12 don't --

13 Don: The big one and I've had problems with this with a
14 plumbing contractor that was in there and he opened up
15 his plumbing codebook and says right here it tells me
16 that I can penetrate underground in the house which it
17 does in the codebook. It lets you in the Chapter 12
18 that's in there. It tells you that you can penetrate
19 underground. Fuel Gas Code tells you you can't.

20 Nielsen: True.

21 Don: That's in there. So is there a way that we can get in
22 there and say basically get rid of the gas section and
23 say we have to go through the IFGC?

24 Nielsen: Well there's multiple ways. Either we get -- you
25 know, the plumbers buy off on getting rid of the fuel

1 gas chapter or you talk with the HVAC side of the
2 house and have them amend that section 'cause you're
3 not going to get rid of the Fuel Gas Code to match --

4 York: That just makes it one. That's all.

5 Nielsen: Yeah.

6 York: That just makes it one.

7 Don: I was just trying to figure out a way. I mean the
8 plumbers that are in here and stuff like that, would
9 you guys mind if they got rid of Chapter 12 that's in
10 there?

11 (Crosstalk)

12 Don: Because right now if you go through Intermountain Gas
13 that's in here where they go through fuel gas because
14 I deal with it quite a bit in Rexburg, and if it is
15 not done by the IFGC, they will not set a meter that's
16 in there. And it doesn't matter. If you walk in
17 there and say it's in the plumbing codebook and I can
18 go it this way, they basically tell you to go screw
19 yourself.

20 Dickson: Well but they adopted, you know, basically. That's a
21 different place.

22 Don: But the thing is --

23 (Crosstalk)

24 Nielsen: Well I'll tell you that this, you know, this has been
25 going on for years, and I spoke with our deputy

1 attorney general because, you know, it is in the
2 plumbing code and it's adopted. And if that -- if
3 it's being run for plumbing, you know, your water
4 heater, something to do with plumbing and a plumber is
5 doing it, they can go out of the UPC.

6 Don: Until your gas company and everybody else comes in and
7 shuts you down.

8 Nielsen: I have not had a gas company come to me with it and I
9 mean it -- it's been this way since HVAC became a
10 program in 2004. Both chapters have been sitting
11 there.

12 Don: I just, I just had a house in Rexburg with the gas
13 company -- it's been there for quite a while and they
14 came in and they added to it and they actually
15 penetrated underneath, goes in there, it was done by a
16 plumbing contractor, and the gas company out there
17 told them that they wouldn't set the meter.

18 Nielsen: I'm not telling you, you know, the discussion can't be
19 had, but I mean I think the simpler route would be to
20 work it out with the HVAC Board one way or the other.
21 And again, to amend something, not get rid of
22 chapters. But again --

23 Don: So just out of curiosity on my end (inaudible -
24 01:09:28) do with Intermountain Gas?

25 Nielsen: Absolutely nothing. They look to see that we

1 inspected the installation before they set the meter
2 but we don't regulate anything they do.

3 Don: You don't regulate anything. So what -- basically
4 what they say goes.

5 Dickson: Yes.

6 Nielsen: And when I say the state doesn't reg- -- I'm going to
7 say DOPL does not regulate. They've got I'm sure
8 their own -- somebody they answer to.

9 Dickson: It's their equipment.

10 York: So with everything coming together like with the
11 occupational licenses, that's like the same as a
12 hairstylist, right. We're all -- that's the same.

13 Nielsen: They are under DOPL.

14 Clark: So like obviously DBS was making money 'cause of the
15 permit fees, right. They're one of the few that was -
16 -

17 (Crosstalk)

18 Nielsen: Right.

19 Clark: So like for our inspectors to -- you know, there's
20 going to be a bunch of them to do enforcement or is it
21 all going to be lumped into -- like all those permit
22 fees are going in there actually putting a lot of
23 money in, not taking taxpayer money. Is there going
24 to be any way to --

25 Nielsen: Honestly, Bryce, I don't know at this point because

1 they're still working through the org chart how things
2 are going to work out. As far as your permit money,
3 you know, anything you put into former DBS it's all
4 still in a plumbing fund. They're going to the star -
5 - what --

6 (Crosstalk)

7 Nielsen: Luma (ph). See, I don't -- but it's supposedly going
8 to be more transparent. And you know, again, if you
9 like to get on the web and see where our money is
10 going and everything and how it all breaks out under
11 the DOPL umbrella, you'll be able to see that. You
12 know, I would like to think that -- you know, maybe
13 not so much budgeted for another compliance guy but,
14 you know, I would push for one and that's discussions
15 we'll probably be having in the future 'cause the
16 inspectors still do it, you know, to an extent. But I
17 mean it is nice on the inspectors because they're
18 buried right now that we do have the one compliance
19 officer who came from occupational licensing, so.
20 Anything else anybody's got.

21 Clark: Is the etracking (ph) staying right now?

22 Nielsen: As far as etracking we are looking at a whole new
23 system, we are looking at a whole new system but
24 that's going to be a ways out. And again, you know,
25 even though it's not a rule, if you guys have ideas,

1 what you would like to see on that system, what would
2 make it easier, you know, when you get in there, a lot
3 of guys now 90 something percent of our permits are
4 pulled online. But if there's some way I know I've
5 heard it left and right, your email notices on
6 whether, you know, you got a correction notice. It's
7 all hit and miss, and it's something that the third
8 party, you know, is working on and we're trying to get
9 it taken care of I know.

10
11 But it's just kind of the end of its lifecycle, and
12 we're trying to keep it going until we can get a new
13 system. So please bear with this because it's just as
14 frustrating to the inspectors knowing they woke up and
15 they don't see any inspections, and they know you guys
16 have called them in, so. We're aware of it, and we
17 are working on it.

18 Clark: Can you still call in inspections with a permit
19 number?

20 Nielsen: Yes, I believe so.

21 Clark: Is there a way they could have like a bin for a
22 contractor so if somebody wants to call in inspections
23 and say they did their own trim they call back the
24 contractor that did it and they'd see a permit number
25 and they'd call it in?

1 Nielsen: Now on that -- I wasn't following you, Bryce. So on
2 that one they should not be taken I believe phone
3 calls and office staff, you know, scheduling the
4 inspection. It needs to go through the IDR. So if
5 it's through the IDR, you should, um, I believe have
6 something there. But --

7 Clark: I know there was a few times and I was expecting that
8 that happened. Like I went to an inspection and
9 thought the contractor called it in and actually the
10 homeowner had done it and I called the contractor
11 because there was a correction and he's like I didn't
12 call it in. I haven't been to that job in six months.
13 So he was mad I went and done it but --

14 Nielsen: And again, that's the sort, you know, things we're
15 looking in to trying to prevent.

16 Clark: Yeah. If you can just have a bin and --

17 (Crosstalk)

18 Clark: -- to, you know, verify it was them or something but -
19 -

20 Nielsen: Anyone else? Going once, twice. Appreciate you
21 coming. Again, seriously grab a card, let me know.
22 Appreciate you being here. Thanks.

23

24

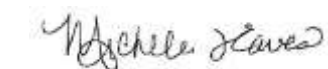
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