

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 503

BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE DIVISION OF BUILDING SAFETY AND EXAMINATION FEES; AMENDING
SECTION 67-2601A, IDAHO CODE, TO PROVIDE FOR A FEE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-2601A, Idaho Code, be, and the same is hereby
amended to read as follows:

67-2601A. DIVISION OF BUILDING SAFETY. (1) The division of building
safety will be headed by an administrator appointed by and serving at the
will of the governor. The division administrator, deputy administrators and
bureau chiefs shall be nonclassified employees exempt from the provisions of
chapter 53, title 67, Idaho Code.

(2) The administrator shall administer the following provisions and
shall perform such additional duties as are imposed on him by law: chapter
41, title 39, Idaho Code, relating to the building code board; chapter
40, title 39, Idaho Code, relating to manufactured homes; chapter 41,
title 39, Idaho Code, relating to modular buildings; chapter 21, title 44,
Idaho Code, relating to manufactured home dealer and installer licensing;
chapter 25, title 44, Idaho Code, relating to mobile home rehabilitation;
chapter 10, title 54, Idaho Code, relating to electrical contractors and
journeymen; chapter 19, title 54, Idaho Code, relating to licensing of
public works contractors; chapter 26, title 54, Idaho Code, relating to
plumbing and plumbers; chapter 45, title 54, Idaho Code, relating to public
works construction management licensing; chapter 50, title 54, Idaho Code,
relating to heating, ventilation and air conditioning systems; chapter 80,
title 39, Idaho Code, relating to school building safety; and chapter 86,
title 39, Idaho Code, relating to elevator safety.

(3) The administrator shall cooperate with the industrial commission
and aid and assist the commission in its administration of sections 72-720,
72-721 and 72-723, Idaho Code, and at the request of the commission shall
make inspection of appliances, tools, equipment, machinery, practices
or conditions, and shall make a written report to the commission. The
administrator shall make recommendations to the commission to aid the
commission in its administration of sections 72-720, 72-721 and 72-723,
Idaho Code, provided however, that nothing herein shall be construed as
transferring to the administrator any of the authority or powers now vested
in the industrial commission.

(4) In administering the laws regulating professions, trades and
occupations that are devolved for administration upon the division, and in
addition to the authority granted to the administrator by the laws and rules
of the agencies and entities within the division, the administrator may:

1 (a) Revise the operating structure of the division as needed to provide
2 efficient and appropriate services to the various professions, trades,
3 occupations and programs administered within the division;

4 (b) Conduct examinations to ascertain the qualifications and fitness
5 of applicants to exercise the profession, trade or occupation for which
6 an examination is held; pass upon the qualifications of applicants
7 for reciprocal licenses, certificates and authorities; prescribe
8 rules for a fair and impartial method of examination of candidates
9 to exercise the respective professions, trades or occupations; ~~and~~
10 issue registrations, licenses and certificates; and until fees
11 are established in rule, the administrator shall charge a fee of
12 seventy-five dollars (\$75.00) for each examination administered;

13 (c) Conduct hearings on proceedings to discipline, renew or reinstate
14 licenses, certificates or authorities of persons exercising the
15 respective professions, trades or occupations; appoint hearing
16 officers, administer oaths, issue subpoenas, and compel the attendance
17 of witnesses; revoke, suspend, refuse to renew, or take other
18 disciplinary action against such licenses, certifications or
19 authorities; and prescribe rules to recover costs and fees incurred in
20 the investigation and prosecution of any certificate holder, licensee
21 or registrant of the division, its boards, bureaus and programs, in
22 accordance with the contested case provisions of chapter 52, title 67,
23 Idaho Code, and the laws and rules of the boards, bureaus and programs
24 the division administers;

25 (d) Assess civil penalties as authorized;

26 (e) Promulgate rules establishing: a coordinated system for the
27 issuance, renewal, cancellation and reinstatement of licenses,
28 certificates, registrations and permits; assessment of all related
29 fees; the terms by which fees may be prorated, if any; and procedures
30 for the replacement of lost or destroyed licenses, certificates or
31 registrations; and

32 (f) Promulgate other rules as may be necessary for the orderly
33 administration of the chapters specified in subsection (2) of this
34 section and such rules as may otherwise be required by those chapters as
35 well as rules for the standardization of operating procedures.

36 (5) Notwithstanding any law governing any specific board, bureau or
37 program comprising the division of building safety, each board member shall
38 hold office until a successor has been duly appointed and qualified.

39 (6) The administrator shall have the authority to employ individuals,
40 make expenditures, enter into contracts, require reports, make
41 investigations, travel, and take other actions deemed necessary.