

IN THE SENATE

SENATE BILL NO. 1013

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD;
2 AMENDING SECTION 54-5004, IDAHO CODE, TO REVISE PROVISIONS REGARD-
3 ING MEMBERSHIP OF THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING
4 BOARD.
5

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

7 SECTION 1. That Section 54-5004, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 54-5004. IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD. (1)
10 The Idaho heating, ventilation and air conditioning board, referred to
11 as the board, is hereby created and made part of the division of building
12 safety. It shall be the responsibility and duty of the administrator of the
13 division of building safety to administer and enforce the provisions of this
14 chapter, and the board shall make, promulgate and publish such rules as may
15 be necessary to carry out the provisions of this chapter. Except as may be
16 limited or prohibited by law, such rules so made and promulgated shall have
17 the force of statute.

18 (2) The board shall consist of seven (7) members, appointed by the gov-
19 ernor, who shall serve at the pleasure of the governor. All board members
20 shall be appointed for a term of three (3) years. Whenever a vacancy oc-
21 curs, the governor shall forthwith appoint a qualified person to fill the va-
22 cancy for the unexpired portion of the term. All members of the board shall
23 be United States citizens, residents of this state for not less than two (2)
24 years, and qualified by knowledge, integrity and experience to properly per-
25 form the functions of the board. All members of the board shall take, sub-
26 scribe and file with the secretary of state an oath of office in the form,
27 manner and time as prescribed by chapter 4, title 59, Idaho Code.

28 (3) Of the seven (7) board members, two (2) members shall be active HVAC
29 contractors with not less than five (5) years' experience in the HVAC con-
30 tracting business; one (1) member shall be a city official; one (1) member
31 shall be a county official; one (1) member shall be a private sector mechan-
32 ical engineer with experience in mechanical system design; one (1) member
33 shall be an representative of the HVAC specialty contractor industry; and
34 one (1) member shall be a member of the general public with an interest in the
35 rights of consumers of HVAC services.

36 (4) The board shall meet within thirty (30) days after the appointment
37 of all its members and thereafter at such other times as may be expedient and
38 necessary for the proper performance of its duties. At the board's first
39 meeting, and every two (2) years thereafter, the members shall elect one (1)
40 of their number to be chairman and one (1) of their number to be vice chair-
41 man. A majority of the board shall constitute a quorum for the transaction of
42 business and not less than two (2) quorum meetings shall be held each year.

1 The board may delegate to any member, or its chairman or other employees,
2 the power to make investigations and hold hearings at any place it may deem
3 proper, and to report findings to it; and it may delegate to its chairman and
4 employees the performance of ministerial functions.

5 (5) Each member of the board shall be compensated as provided in section
6 59-509(n), Idaho Code.