



State of Idaho
Division Of Occupational and Professional Licenses
Idaho Heating, Ventilation and Air Conditioning Board

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Minutes of 10/13/2022 ZBR Meeting

Division Staff: John Nielsen
Molly Hamilton
Carlotta Zito

Zero Based Regulation (ZBR) IDAPA 24.39.70 - Rules Governing Heating, Ventilation and Air Conditioning Systems – Entire Chapter

The meeting was called to order at 9:00 AM by John Nielsen.

John Nielsen, Executive Officer, opened the meeting stating it is a public hearing on rulemaking. Unlike all previous negotiated rulemaking, formal rulemaking and other public meetings, this meeting is strictly to gather comment from the public on the proposed rules the Board voted on in July. Public comments will be forwarded to the Board for the November 9, 2022 Board meeting. Next Thursday's meeting will be the same as today's meeting. Copies of the perspective analysis are provided, as well as available at www.dopl.idaho.gov under the "Rulemaking" tab. Executive Officer Nielsen asked anyone with comments come to the podium, state their name, who they represent and their thoughts on specific items.

Chad Schwendiman, City of Boise – Mr. Schwendiman asked if an exemption from testing for UL 1738 plastic piping should be added to IDAPA 24.39.70.600.03.h on page 670.

Executive Officer Nielsen stated he wasn't sure if it needs to be added, but it can be considered.

Mr. Schwendiman suggested the Board consider whether some of the rules need to be amended to close some gaps where the mechanical codes refer you to the energy code specifically. He thinks the Board should consider whether we need to amend some of our rules to include some language to close those gaps.

Mike LaPray, Instructor at the College of Southern Idaho (CSI), expressed a concern with the verbiage in the journeyman's certificate of competency, going back to 8,000 hours in section 100.02. He stated that compared to the old one we actually had for the full-time programs where we had the one year of OJT in there, and then we also changed from the four-year license to 8,000 hours and the 16,000 hours, which I understand why we did that but how do we get that back in there.

Executive Officer Nielsen – The hours are going to be the standard across all the boards. There will be no reference to 'years' as it pertains to OJT. The four years going off of the OJT is the 8,000. The 576 is the school.

Mr. LaPray – Right but we also got the one year of OJT or 2,000 hours towards the license for the class.

Executive Officer Nielsen – I would need to look at that because you're right, we did have that discussion on the one year of 'full time' schooling earning one year of OJT.

Mr. LaPray – In the old one, the existing one that’s in 013.01, the last part says, “Any apprentice who successfully completes a Board approved, full-time, One (1) academic year training course may receive credit for up to one (1) year of on the job work experience.”

Executive Officer Nielsen stated that was a good question and he would look into.

Mr. LaPray – I don't mind the 576 because I'm way over that. The 16,000 hours, you know, I would like to lead into this and I think some folks here might be able to do better for this than I have but we have also eliminated, I know we talked about this, the CEUs, because people like me haven't gone on the wagon yet, and I think we ought to revisit some CEUs. Here's my thought on that. The journeyman exam is primarily just code. We're now starting to have refrigerants, for instance, that are flammable and somewhat explosive. That's not part of code. Our classes we teach guys how to bend sheet metal, how to strip wire, that's not code. How to make a motor work with controls, that's not code. I know that's manufacturing training that they're supposed to be getting on the job, right? So, there's value in that, plus, we need to do some CEUs on code. I still think that's got some power. I know I may not have been a big advocate for this so far just because I haven't had the time to build some curriculum. I got some stuff from these guys here and it's beautiful stuff that I think you got that from a CE broker. I couldn't find it when I went there. I found a lot of online stuff. If we could look at something like that again, I know being a pain.

Executive Officer Nielsen stated the Board as a whole is going to have to sit down and take whatever they think they want to put back in whether it's CEUs. Regarding the one year I will look into that because that probably shouldn't have gone away but the perspective analysis on it all is something the Board is going to have to sit down and do. It may or may not get in there. That's the homework the Board is going to have to do on anything like that.

Bruce Graham, Quality Heating and Air Conditioning, asked whether it was necessary to speak today if he has spoken before since all of the information is in the notes and has been considered.

Executive Officer Nielsen – This is the official comment period, between October 5th and the end of the month, so it’s a good time to get any statements officially in the record.

Mr. Graham – Can I get a clarification on where we're at with the energy code? What I understand is if the energy code gets dropped in the building code, then HVAC is not enforcing it.

Executive Officer Nielsen – Correct.

Mr. Graham – That’s where my fight needs to be because I am against the energy code.

JR Findlay, Sheet Metal Workers Local 55, stated that he agrees with CSI and CEUs need to stay and not be eliminated for consumer and worker safety.

Judy Van Cleave asked about CEUs, in what circumstances.

Mr. Findlay – The eight-hour CEUs for renewal for apprentice registration annually.

Mr. Graham – I've always believed in CEUs and I think it's a good idea, and probably mandatory four hours of that be code update, and I think that's how you connect all parts of the state by putting together a code class and bringing everybody together. That gets your inspectors and journeymen out there all on the same page. Thanks.

Executive Officer Nielsen – Is there anyone online that has anything they would like to add. There will be another meeting just like this next week. What will happen is we'll do next week's meeting. We'll gather up the comments, I will send them to the board members, hopefully a good week or two prior to the meeting, and they'll go over it. Then on November 9th they'll have an action item to move the proposed to pending with these rules.

Josh Scholer, Division of Financial Management – I have a quick question. I'm going through your rules, the version two online, am I understanding correctly, just from the comments, that we're getting rid of the CEs? Is that my understanding?

Executive Officer Nielsen – As the rules are currently written, yes.

Mr. Scholer – Okay, thank you. I just want to make sure. You guys have done great work. I just wanted to make sure that I had that correctly. So, thank you.

Executive Officer Nielsen – If there is nothing else, I will adjourn the meeting.

Adjournment

The meeting adjourned at 11:00 a.m.

10/14/2022cz