

Agenda

UBCC EDUCATION ADVISORY COMMITTEE

September 16, 2014 1:00 p.m.

Room 402 – Fourth Floor

Heber M. Wells Building
160 East 300 South, Salt Lake City, Utah

This agenda is subject to change up to 24 hours prior to the meeting

ADMINISTRATIVE BUSINESS:

Sign attendance sheet
Swearing in of new committee member-Jennifer Saunders
Approve minutes from July 15, 2014
Budget Reports for FY 2013-2014; FY 2014-2015

NEW BUSINESS:

1. Applications for FY 2014-2015 (July 1st, 2014 - June 30th, 2015) Funding Grants-Budget Reviews or Revisions and Approval Requests:
 - a. Structural Engineers Association of Utah - \$21,000.SEAU. February 24-25, 2015; 3rd Annual Conference (Mike Molyneux)
 - b. Southwest Applied Technology College - \$2,400. SWATC. October 10-11, 2014; 2014 NEC Code Solar Photovoltaic Systems (Todd Hess)
2. Proposed rule change – R156-15A-231. Administration of Building Code Training Fund and Factory Built Housing Fees Account
3. Rule Hearing
4. MADCAD Discussion

NEXT SCHEDULED MEETING:

October 21, 2014; 1:00 p.m.; Room 402 (Fourth Floor)

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Utah 84115. 801-530-6628 or toll-free in Utah only 866-275-3675

Posted to Web

Posted to Bulletin Board:

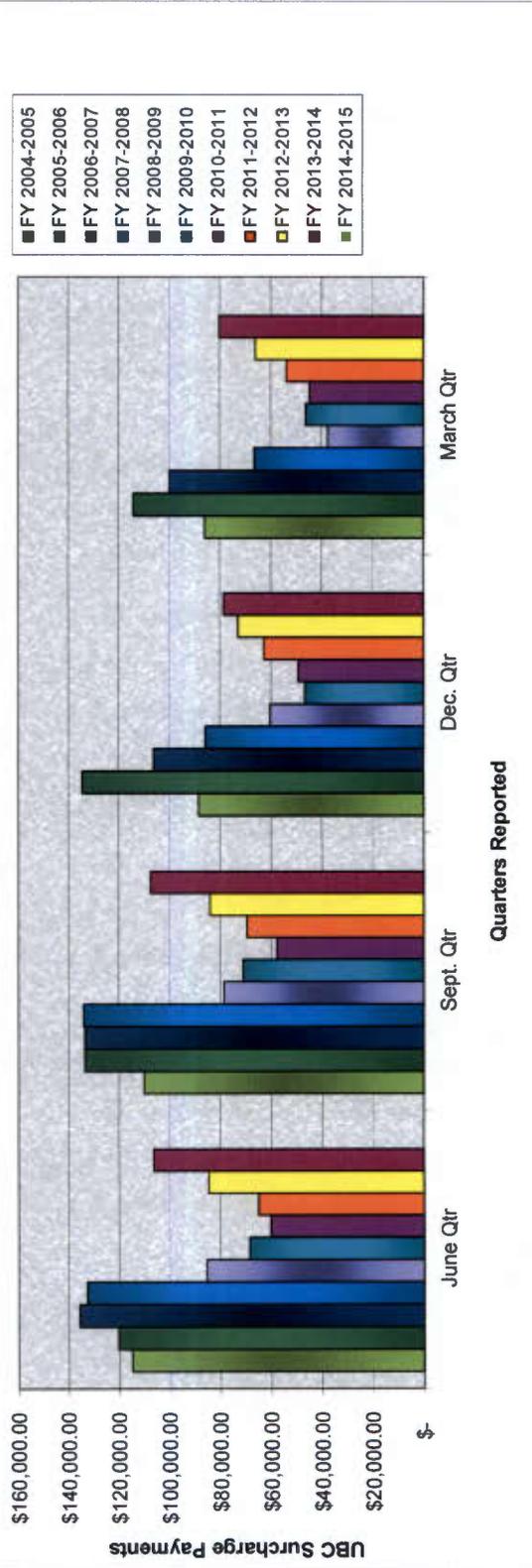
**FY July 1, 2014 - June 30, 2015 UBC
COMBINED BALANCE SHEET & INCOME STATEMENT
For July 1-31, 2014**

REVENUE	BUDGET	RECEIVED	ACTUAL YTD	
Surcharge Fees Projected (estimated only)	\$ 372,484.50	\$ 80,243.77	\$ 80,243.77	
Carryover Credit from Previous Years (after all payments)	\$ 975,909.00			
Total	\$ 1,348,393.50	\$ 80,243.77	\$ 80,243.77	
ADMINISTRATIVE ENCUMBRANCES	BUDGET	PAID	ACTUAL YTD	BALANCE
Salary and Benefits	\$ 63,705.86	\$ 860.38	\$ 860.38	\$ 62,845.48
Communication Services	\$ 500.00	\$ 37.28	\$ 37.28	\$ 462.72
Miscellaneous/Office Supplies & Printing/Library	\$ 50.00			
Total	\$ 64,255.86	\$ 897.66	\$ 897.66	\$ 63,308.20
EDUCATIONAL GRANTS TO SCHOOLS	APPROVED	PAID	ACTUAL YTD	BALANCE
Bridgerland Applied Tech College	\$ 25,400.00	\$ -	\$ -	\$ 25,400.00
Davis Applied Tech College	\$ -	\$ -	\$ -	\$ -
Dixie State College (Dixie Applied Tech College)	\$ -	\$ -	\$ -	\$ -
Salt Lake Community College	\$ -	\$ -	\$ -	\$ -
Southwest Applied Technology College	\$ -	\$ -	\$ -	\$ -
Uintah Basin ATC	\$ 7,200.00	\$ -	\$ -	\$ 7,200.00
Utah Electrical JATC/IBEW	\$ -	\$ -	\$ -	\$ -
Utah Valley University	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 32,600.00	\$ -	\$ -	\$ 32,600.00
ASSOCIATION FUNDING GRANTS	APPROVED	PAID	ACTUAL YTD	
AIA Utah Chapter	\$ -	\$ -	\$ -	\$ -
ASHRAE Utah	\$ 13,795.00	\$ -	\$ -	\$ 13,795.00
Associated General Contractors - Utah / AGC-Utah	\$ -	\$ -	\$ -	\$ -
Associated Builders & Contractors of Utah	\$ -	\$ -	\$ -	\$ -
Beehive Chapter ICC	\$ 23,500.00	\$ -	\$ -	\$ 23,500.00
Bonneville Chapter ICC	\$ 32,000.00	\$ -	\$ -	\$ 32,000.00
Construction Specifications Institute Inc / CSI		\$ -	\$ -	\$ -
Fire Marshal's Association of Utah		\$ -	\$ -	\$ -
IEC of Utah (Independent Electrical Contractors)	\$ 29,140.00	\$ -	\$ -	\$ 29,140.00
Iron County Home Builders Association	\$ 8,300.00	\$ -	\$ -	\$ 8,300.00
Northern Utah Building Inspectors	\$ -	\$ -	\$ -	\$ -
Park City Area Home Builders Association/PCAHBA	\$ -	\$ -	\$ -	\$ -
Rocky Mountain Gas Association	\$ 36,550.00	\$ -	\$ -	\$ 36,550.00
Salt Lake Home Builders Association / SLHBA	\$ -	\$ -	\$ -	\$ -
SEAU (Structural Engineers Association)	\$ -	\$ -	\$ -	\$ -
Southern Utah Home Builders Association / SUHBA	\$ 24,000.00	\$ -	\$ -	\$ 24,000.00
Southern Utah Division IAEI	\$ 4,400.00	\$ -	\$ -	\$ 4,400.00
UAPMO	\$ 27,560.00	\$ -	\$ -	\$ 27,560.00
Utah Chapter IAEI	\$ 26,000.00	\$ -	\$ -	\$ 26,000.00
Utah Chapter ICC	\$ 72,000.00	\$ -	\$ -	\$ 72,000.00
Utah Construction Suppliers Association	\$ 7,500.00	\$ -	\$ -	\$ 7,500.00
Utah Plumbing & Heating Contractors Association	\$ 10,500.00	\$ -	\$ -	\$ 10,500.00
Utah Homebuilders Association	\$ -	\$ -	\$ -	\$ -
Utah Division of Occupational and Professional Licensing	\$ -	\$ -	\$ -	\$ -
Utah Valley Homebuilders Association	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 315,245.00	\$ -	\$ -	\$ 315,245.00
TOTAL ENCUMBRANCES	\$ 412,100.86	\$ 897.66	\$ 897.66	
REVENUES (LESS ACTUAL EXPENDITURES)		PAID	ACTUAL YTD	
Total Revenue (Surcharges plus carryovers)			\$ 1,056,152.77	
Less Actual Expenditures			\$ 897.66	
SUBTOTAL (ACTUAL)			\$ 1,055,255.11	
Less Approved Unpaid Encumbrances			\$ 411,203.20	
TOTAL RESERVES			\$ 644,051.91	

**COMPARISON OF
1% UBC SURCHARGE COLLECTIONS
FY 2004-2014**

Actual Totals @ June 30, 2014

Fiscal Year	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-2013	2013-2014
June Qtr	\$ 114,825.49	\$ 120,249.07	\$ 135,710.61	\$ 132,637.33	\$ 85,378.72	\$ 68,570.26	\$ 60,238.80	\$ 64,988.48	\$84,695.49	\$106,262.49
Sept. Qtr	\$ 110,045.61	\$ 133,560.26	\$ 133,527.80	\$ 134,091.44	\$ 78,464.64	\$ 70,983.02	\$ 57,735.96	\$ 69,482.84	\$84,004.48	\$107,454.12
Dec. Qtr	\$ 88,467.33	\$ 134,536.79	\$ 106,137.29	\$ 85,720.69	\$ 60,315.33	\$ 46,730.96	\$ 49,352.78	\$ 62,816.00	\$72,946.39	\$78,524.12
March Qtr	\$ 86,086.16	\$ 114,195.23	\$ 99,860.01	\$ 66,497.04	\$ 37,660.88	\$ 46,339.44	\$ 44,810.88	\$ 53,879.52	\$66,074.50	\$80,243.77
TOTAL	\$ 399,424.59	\$ 502,541.35	\$ 475,235.71	\$ 418,946.50	\$ 261,819.57	\$ 232,623.68	\$ 212,138.42	\$ 251,166.84	\$307,720.86	\$372,484.50



MADCAD.com

3000 Connecticut Avenue, NW, Suite 200
Washington, D.C. 20008
☎ 202 265 1940
✉ 202 265 1941

September 3, 2014

Tom Peterson
Box Elder County
01 S Main
Brigham City, Utah 84302

Dear Mr. Peterson;

Thank you for giving us the opportunity to provide the pricing information below for a possible subscription to MADCAD.com building codes and standards eLibrary.

Annual Subscription Price: \$8,500.00

- **ICC Standards References in 2012 ICC Codes – 5 concurrent-users**
 - ICC A117.1 Accessible and Usable Buildings and Facilities / 2009
 - ICC 300: Standard on Bleachers, Folding and Telescopic Seating, and Grandstands / 2007
 - ICC 400-2012: Standard on the Design and Construction of Log Structures / 2012
 - ICC 500: Standard for the Design and Construction of Storm Shelters / 2008
 - ICC 600 - 2008: Standard for Residential Construction in High-Wind Regions / 2008

- **NFPA Standards Referenced in 2012 ICC Codes – 5 concurrent-users**
Over 100 NFPA Standards referenced in 2012 ICC Codes

- **ASHRAE Standards Referenced in 2012 ICC Codes – 5 concurrent-users**
 - ASHRAE 15 Safety Standard for Refrigeration Systems / 2010
 - ASHRAE 34 Designation and Safety Classification of Refrigerants / 2010
 - ASHRAE Standard 62.1 Ventilation for Acceptable Indoor Air Quality / 2010
 - ASHRAE Standard 90.1 Energy Standard for Buildings Except Low-

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Rise Residential Buildings (I-P Edition) (ANSI Approved; IESNA Co-sponsored) / 2007

- ASHRAE Standard 90.1-2010 (IP Edition) Energy Standard for Buildings Except Low-Rise Residential Buildings (ANSI Approved; IESNA Co-sponsored) / 2010
 - ASHRAE Standard 119 Air Leakage Performance for Detached Single-Family Residential Buildings (ANSI Approved) / 1988
 - ASHRAE Standard 140 Standard Method of Test for the Evaluation of Building Energy Analysis Computer Programs (ANSI Approved) / 2007
 - ASHRAE Standard 146 Methods of Testing and Rating Pool Heaters (ANSI Approved) / 2006
 - ASHRAE Standard 180 Standard Practice for Inspection and Maintenance of Commercial Building HVAC Systems (ANSI/ASHRAE/ACCA Approved) / 2008
 - ASHRAE Standard 183 Peak Cooling and Heating Load Calculations in Buildings Except Low-Rise Residential Buildings (ANSI/ACCA Approved) / 2007
 - ANSI/ASHRAE Standard 193 Method of Test for Determining the Airtightness of HVAC Equipment / 2010
 - ASHRAE Standard 13256-1 Water-source Heat Pumps – Testing and Rating for Performance – Part 1: Water-to-air and Brine-to-air Heat Pumps (ANSI/ARI/ASHRAE ISO) / 1998
 - ASHRAE Standard 13256-2 Water-source Heat Pumps – Testing and Rating for Performance – Part 2: Water-to-water and Brine-to-water Heat Pumps (ANSI/ARI/ASHRAE ISO) / 1998
 - ASHRAE Fundamentals Handbook / 2009
 - ASHRAE Handbook HVAC Systems and Equipment (I-P Edition) / 2008
- **ASCE Standards Referenced in 2012 ICC Codes – 5 concurrent-users**
 - ASCE Standard 7 Minimum Design Loads for Buildings and Other Structures with Supplement No. 1 / 2005
 - ASCE/SEI 7 Minimum Design Loads for Buildings and Other Structures / 2010
 - SEI/ASCE Standard 8 Specification for the Design of Cold-Formed

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- Stainless Steel Structural Members / 2002
- ASCE Standard 19 Structural Applications of Steel Cables for Buildings / 1996
- ASCE/SEI Standard 24 Flood Resistant Design and Construction / 2005
- ASCE/SEI/SFPE Standard 29 Standard Calculation Methods for Structural Fire Protection / 2005
- ASCE/SEI 31 Seismic Evaluation of Existing Buildings / 2003
- SEI/ASCE Standard 32 Design and Construction of Frost-Protected Shallow Foundations / 2001
- ASCE/SEI Standard 41 Seismic Rehabilitation of Existing Buildings / 2006

- **ASME Standards Referenced in 2012 ICC Codes – 5 concurrent-users**
 - 2007 ASME A17.1/CSA B44 Safety Code for Elevators and Escalators
 - 2011 ASME-A18.1 Safety Standard for Platform Lifts and Stairway Chairlifts
 - 2003 ASME A90.1 Safety Standard for Belt Manlifts
 - 2001 ASME B16.18 Cast Copper Alloy Solder Joint Pressure Fittings
 - 2001 ASME B16.22 Wrought Copper And Copper Alloy Solder Joint Pressure Fittings
 - 2009 ASME B20.1 Safety Standard for Conveyors and Related Equipment
 - 2010 ASME B31.3 Process Piping

- **Federal Guidelines – Unlimited Access Free of Charge**

- **State of Utah Local Amendments – Unlimited Access Free of Charge**

*Listed prices are good for 60 days.

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ASTM Add-On Option:

- **ASTM Standards Referenced in 2012 I-Codes Package**
Annual Subscription Price: \$22,000.00

All ASTM Standards that are referenced in 2012 ICC Codes. The references will be available for access for all Utah Building Officials.

If you have any questions, please do not hesitate to contact me at ededebas@madcad.com or 202-265-1940 ext.207.

Best regards,

Erdem Dedebas
Vice President, Sales & Operations
MADCAD.com

ONLINE BUILDING CODES & STANDARDS

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

- * The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
- * Please address questions regarding information on this notice to the agency.
- * The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- * The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:

38992

Date filed:

8-19-2014

State Admin Rule Filing Id:

Time filed:

	Agency No.	Rule No.	Section No.
Utah Admin. Code Ref (R no.):	R 156	- 15A	- 231
Changed to Admin. Code Ref. (R no.):	R	-	-

1. **Agency:** Commerce/Division of Occupational and Professional Licensing
- Room no.:**
- Building:** Heber M. Wells Building
- Street address 1:** 160 East 300 South
- Street address 2:**
- City, state, zip:** Salt Lake City UT 84111-2316
- Mailing address 1:** PO Box 146741
- Mailing address 2:**
- City, state, zip:** Salt Lake City UT 84114-6741
- Contact person(s):**
- | Name: | Phone: | Fax: | E-mail: |
|----------------|--------------|--------------|--------------------|
| Robyn Barkdull | 801-530-6727 | 801-530-6511 | rbarkdull@utah.gov |

(Interested persons may inspect this filing at the above address or at the Division of Administrative Rules during business hours)

2. **Title of rule or section (catchline):**
Administration of Building Code Training Fund and Factory Built Housing Fees Account
3. **Type of notice:**
New ; Amendment XXX; Repeal ; Repeal and Reenact
4. **Purpose of the rule or reason for the change:**

State compliance agencies that enforce statewide-adopted building codes charge a 1% surcharge on all building permits issued and submit 80% of the amount collected to the Division as the Uniform Building Code Commission Education Fund (Fund). The Fund is utilized to provide training with respect to codes and code amendments to building inspectors and individuals engaged in construction-related trades. The balance of the Fund has continued to increase over the last few years as a result of decreased funding requests. In an effort to address the underutilization of the Fund, the Division and the Uniform Building Code Commission (UBCC) Education Advisory Committee, as well as interested stakeholders, reviewed the process for reimbursement from the Fund and determined solutions that would increase grant money for underserved populations and geographical areas. An additional purpose of the filing is to establish maximum reimbursement rates for instructor fees and maximum reimbursement rates for a total event.

5. This change is a response to comments from the Administrative Rules Review Committee.

No XXXX; Yes ___

6. Summary of the rule or change:

Paragraph (4)(d)(i): Instructor fees for approved events that use grant money have not been established previously by rule. The UBCC Education Committee has considered local and national instructor rates and recommends up to \$150 per hour as a general guideline for approved fees reimbursed through a funding grant. The proposed rule also provides for rates that exceed \$150 per hour to be further considered by the Committee for approval by the Division. Paragraph (4)(h): Maximum reimbursement rates for events that use grant money have not been established previously by rule. The UBCC Education Committee has recommended a maximum reimbursement rate of the lesser of \$10 per student hour or the cost of all approved actual expenditures. Paragraph (5)(a) through (d): The proposed rule change lists items that may be reimbursed by the Division above the maximum reimbursement rate, based upon the criteria established in Subsection (4), and upon recommendation and approval of the Committee, to include: text books, code books, code update books, Division licensee mailing list, cost to upload continuing education hours to the Division's online registry, and reasonable advertising, printing and mailing costs. Paragraph (9): Proposed amendment establishes that if an approved event or joint event is not held, no amount is reimburseable with the exception of approved costs as outlined in Subsection (5)(d).

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No ___; Yes XXX

There will be no additional cost to the state budget over and above the current allocation of the 1% surcharge on all building permits, which is appropriated as the UBCC Education Fund. Although the balance of the Fund will decrease as additional approved items are reimbursed from the Fund, these costs cannot be quantified. The Division will also incur minimal costs of approximately \$100 to print and distribute the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.

B) Local government:

Affected: No ___; Yes XXX

The proposed amendments impact only those government agencies that have applied for and received funding grants to teach code classes to individuals involved in the construction trades. The amendments will result in overall lower costs for those local entities because the proposed amendments qualify additional expenses to become eligible for reimbursement. These costs cannot be quantified by the Division.

C) Small businesses ("small business" means a business employing fewer than 50 persons):

Affected: No XXX; Yes ___

The proposed amendments neither apply to nor impact small businesses because small businesses are not eligible for funding grants.

D) Persons other than small businesses, businesses, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

Affected: No ___; Yes XXX

The proposed amendments impact only those schools, colleges, universities, government agencies, and professional associations or organizations involved in the construction trades that have applied for and received funding grants to teach code classes to individuals in the construction trades. The proposed amendments will result in lower costs for those entities because the proposed amendments qualify additional expenses to become eligible for reimbursement. These costs and savings cannot be quantified by the Division.

8. Compliance costs for affected persons:

The proposed amendments impact only those schools, colleges, universities, government agencies, and professional associations or organizations involved in the construction trades that have applied for and received funding grants to teach code classes to individuals in the construction trades. The proposed amendments will result in lower costs for those entities because the proposed amendments qualify additional expenses to become eligible for reimbursement. These costs and savings cannot be quantified by the Division.

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This filing outlines circumstances in which funds from the Uniform Building Code Commission Education Fund may be used to reimburse persons who provide industry training regarding construction-related regulations. Providers that qualify for reimbursement will realize some financial benefit, the amount of which will vary and cannot be anticipated.

B) Name and title of department head commenting on the fiscal impacts:

Francine A. Giani, Executive Director

10 This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

Subsection 58-1-106(1)(a)

Subsection 58-1-202(1)(a)

Subsection 15A-1-204(6)

Section 15A-1-205

11 This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Division of Administrative Rules; if none, leave blank):

	First Incorporation	Second Incorporation
Official Title of Materials Incorporated (from title page)		
Publisher		
Date Issued		
Issue, or version		
ISBN Number (optional)		
ISSN Number (optional)		
Cost of Incorporated Reference		
Action: Adds, updates, or removes		

(If this rule incorporates more than two items by reference, please attach additional pages)

12 The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 10/15/2014

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):

At (hh:mm AM/PM):

At (place):

09/16/2014

1:00 PM

160 East 300 South, Conference Room 402 (4th floor), Salt Lake City, Utah

13 This rule change may become effective on (mm/dd/yyyy): 10/22/2014

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

14 Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")); may not include the name of the agency:

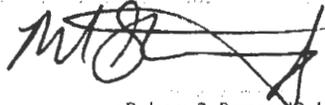
contractors building codes
building inspection licensing

15 Attach an RTF document containing the text of this rule change (filename): R156-15A.pr2

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*, and delaying the first possible effective date.

AGENCY AUTHORIZATION

Agency head or designee, and title:



Date (mm/dd/yyyy)

: 8/19/2014

R156. Commerce, Occupational and Professional Licensing.

R156-15A. State Construction Code Administration and Adoption of Approved State Construction Code Rule.

R156-15A-231. Administration of Building Code Training Fund and Factory Built Housing Fees Account.

In accordance with Subsection 15A-1-209(5)(c), the Division shall use monies received under Subsection 15A-1-209(5)(a) to provide education regarding codes and code amendments to building inspectors and individuals engaged in construction-related trades or professions. In accordance with Subsection 58-56-17.5(2)(c), the Division shall use a portion of the monies received under Subsection 58-56-17.5(1) to provide education for factory built housing. The following procedures, standards, and policies are established to apply to the administration of these separate funds:

(1) The Division shall not approve or deny education grant requests from the Building Code Training Fund or from the Factory Built Housing Fees Account until the Uniform Building Code Commission (UBCC) Education Advisory Committee ("the Committee"), created in accordance with Subsections 58-1-203(1)(f) and R156-15A-201(1)(a), has considered and made its recommendations on the requests.

(2) Appropriate funding expenditure categories include:

(a) grants in the form of reimbursement funding to the following organizations that administer code related or factory built housing educational events, seminars or classes:

(i) schools, colleges, universities, departments of universities, or other institutions of learning;

(ii) professional associations or organizations; and

(iii) governmental agencies.

(b) costs or expenses incurred as a result of educational events, seminars, or classes directly administered by the Division;

(c) expenses incurred for the salary, benefits or other compensation and related expenses resulting from the employment of a Board Secretary;

(d) office equipment and associated administrative expenses required for the performance of the duties of the Board Secretary, including but not limited to computer equipment, telecommunication equipment and costs and general office supplies; and

(e) other related expenses as determined by the Division.

(3) The following procedure shall be used for submission, review and payment of funding grants:

(a) A funding grant applicant shall submit a completed "Application for Building Code Training Funds Grant" or a "Factory Built Housing Education Grant Application" a minimum of 15 days prior to the meeting at which the request is to be considered and prior to the training event on forms provided for that purpose by the Division. Applications received less than 15 days prior to a meeting may be denied.

(b) Payment of approved funding grants will be made as reimbursement after the approved event, class, or seminar has been held and the required receipts, invoices and supporting documentation, including proof of payment, if requested by the Division or Committee, have been submitted to the Division.

(c) Approved funding grants shall be reimbursed only for eligible

expenditures which have been executed in good faith with the intent to ensure the best reasonable value.

(d) A Request for Reimbursement of an approved funding grant shall be submitted to the Division within 60 days following the approved event, class, or seminar unless an extenuating circumstance occurs. Written notice must be given to the Division of such an extenuating circumstance. Failure to submit a Request for Reimbursement within 60 days shall result in non-payment of approved funds, unless an extenuating circumstance has been reviewed and accepted by the Division.

(4) The Committee shall consider the following in determining whether to recommend approval of a proposed funding request to the Division:

(a) the fund balance available and whether the proposed request meets the overall training objectives of the fund, including but not limited to:

(i) the need for training on the subject matter;

(ii) the need for training in the geographical area where the training is offered; and

(iii) the need for training on new codes being considered for adoption;

(b) the prior record of the program sponsor in providing codes training including:

(i) whether the subject matter taught was appropriate;

(ii) whether the instructor was appropriately qualified and prepared; and

(iii) whether the program sponsor followed appropriate and adequate procedures and requirements in providing the training and submitting requests for funding;

(c) costs of the facility including:

(i) the location of a facility or venue, or the type of event, seminar or class;

(ii) the suitability of said facility or venue with regard to the anticipated attendance at or in connection with additional non-funded portions of an event or conference;

(iii) the duration of the proposed educational event, seminar, or class; and

(iv) whether the proposed cost of the facility is reasonable compared to the cost of alternative available facilities;

(d) the estimated cost for instructor fees including:

(i) a reimbursement rate not to exceed \$150 per instruction hour without further review and approval by the Committee;

([+]ii) the experience or expertise of the instructor in the proposed training area;

(ii) the quality of training based upon events, seminars or classes that have been previously taught by the instructor;

([+]iv) the drawing power of the instructor, meaning the ability to increase the attendance at the proposed educational event, seminar or class;

([+]v) travel expenses; and

(vi) whether the proposed cost for the instructor or instructors is reasonable compared to the costs of similar educational events, seminars, or classes;

(e) the estimated cost of advertising materials, brochures, registration and agenda materials, including:

(i) printing costs that may include creative or design expenses; and

(ii) ~~[whether] delivery or mailing costs [including postage and handling, are reasonable compared to the cost of alternate available means of delivery];~~

(f) other reasonable and comparable cost alternatives for each proposed expense item; ~~and~~

(g) ~~any~~ other information the Committee reasonably believes may assist in evaluating a proposed expenditure; and

(h) a total reimbursement rate of the lesser of \$10 per student hour or the cost of all approved actual expenditures.

(5) The Division, after consideration and recommendation of the Committee, based upon the criteria in Subsection (4), may reimburse the following items in addition to the lesser of \$10 per student hour or the cost of all approved actual expenditures:

(a) text books, code books, or code update books;

(b) cost of one Division licensee mailing list per provider per two-year renewal period;

(c) cost incurred to upload continuing education hours into the Division's online registry for contractors, plumbers, electricians or elevator mechanics; and

(d) reasonable cost of advertising materials, brochures, registration and agency materials, including:

(i) printing costs that may include creative or design expenses; and

(ii) delivery or mailing costs.

([5]6) Joint function.

(a) "Joint function" means a proposed event, class, seminar, or program that provides code or code related or factory built housing education and education or activities in other areas.

(b) Only the prorated portions of a joint function that are code and code related or factory built housing education are eligible for a funding grant.

(c) In considering a proposed funding request that involves a joint function, the Committee shall consider whether:

(i) the expenses subject to funding are reasonably prorated for the costs directly related to the code and code amendment or factory built housing education; and

(ii) the education being proposed will be reasonable and successful in the training objective in the context of the entire program or event.

([6]7) Advertising materials, brochures and agenda or training materials for a Building Code Training funded educational event, seminar, or class shall include a statement that acknowledges that partial funding of the training program has been provided by the Utah Division of Occupational and Professional Licensing from the 1% surcharge funds on all building permits.

([7]8) Advertising materials, brochures and agenda or training materials for a Factory Built Housing Fees Account funded educational event, seminar, or class shall include a statement that acknowledges that partial funding of the training program has been provided by the Utah

Division of Occupational and Professional Licensing from surcharge fees on factory built housing sales.

(9) If an approved event or joint event is not held, no amount is reimbursable with the exception of the costs described in Subsection (5)(d).

KEY: contractors, building codes, building inspection, licensing

Date of Enactment or Last Substantive Amendment: [~~July 22,~~]2014

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 15A-1-204(6); 15A-1-205

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
PROPOSED RULE OR CHANGE

Title of Rule or Section: R156-15A, State Construction Code Administration and Adoption of Approved State Construction Code Rule

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Hearing Date and Time: September 16, 2014

Date proposed amendments approved by Board/Committee: July 15, 2014

Purpose of or reason for the filing: Each compliance agency in the state, which enforces statewide adopted building codes, charges a 1% surcharge on all building permits issued and submits 80% of the amount collected to the Division as the Uniform Building Code Commission Education Fund (Fund). The Fund is utilized to provide training on codes and code amendments to building inspectors and individuals engaged in construction related trades. The balance of the Fund has continued to increase over the last few years as a result of decreased funding requests. In an effort to address the underutilization of the Fund, the Division and the UBCC Education Advisory Board, as well as interested stakeholders, reviewed the process for reimbursement from the Fund and determined solutions which would increase grant money for underserved populations and geographical areas.

An additional purpose of the filing is to establish maximum reimbursement rates for instructor fees and maximum reimbursement rates for a total event.

Summary of the filing:

Subsection R156-15A-231 (4)(d)(i): Instructor fees for approved events using grant money has not been established previously by rule. The UBCC Education Committee has considered local and national instructor rates and recommends up to \$150 per hour as a general guideline for approval reimbursed by a funding grant. The proposed rule also provides for rates which exceed \$150 per hour to be further considered and recommended by the Committee and approved by the Division.

Subsection R156-15A-231 (4)(h): Maximum reimbursement rates for events using grant money has not been established previously by rule. The UBCC Education Committee has recommended a maximum reimbursement rate of the lesser of \$10 per student hour or the cost of all approved actual expenditures.

Subsection R156-15A-231 (5)(d): The proposed rule change provides for items which may be reimbursed by the Division above the maximum reimbursement rate, based upon the criteria established in Subsection (4), and upon recommendation and approval of the committee, to include: text books; code books; code update books; Division licensee mailing list; cost to upload continuing education hours to the Division's online registry; and reasonable advertising, printing and mailing costs.

Subsection R156-15A-231 (9): Establishes that if an approved event or joint event is not held, no amount is reimburseable with the exception of approved costs in Subsection (5)(d).

Cost or saving impact of the filing:

State Budget: There will be no additional cost to the state budget over and above the current allocation of the 1% surcharge on all building permits which is appropriated as the UBCC Education Fund. Although the balance of the Fund will decrease as additional approved items are reimbursed from the Fund, these costs cannot be quantified.

The Division will also incur minimal costs of approximately \$100 to print and distribute the rule once the proposed amendments become effective. Any costs incurred will be absorbed in the Division's current budget.

Local Government: The proposed amendments impact only those government agencies which have applied for and received funding grants to teach code classes to individuals involved in the construction trade. The amendments will result in overall lower costs for those local entities as the rule change qualifies additional expenses to become eligible for reimbursement. These costs cannot be quantified.

Small Businesses: The proposed amendments do not apply to nor impact small businesses because small businesses are not eligible for funding grants.

Persons Other Than Small Businesses: The proposed amendments impact only those schools, colleges, universities, government agencies, and professional associations or organizations involved in the construction trades which have applied for and received funding grants to teach code classes to individuals in the construction trade. The amendments will result in overall lower costs for those entities as the rule change qualifies additional expenses to become eligible for reimbursement. These costs cannot be quantified.

Affected Persons: The proposed amendments impact only those schools, colleges, universities, government agencies, and professional associations or organizations involved in the construction trades which have applied for and received funding grants to teach code classes to individuals in the construction trade. The amendments will result in overall lower costs for those entities as the rule change qualifies additional expenses to become eligible for reimbursement. These costs cannot be quantified.

Reviewed By: (Initial and Date)

RB Robyn B. Barkdull Date 8.4.14

_____ Ray W. Walker Date _____

_____ Mark G. Steinagel Date _____

_____ Jennie, Jonsson Date _____

R156. Commerce, Occupational and Professional Licensing.

R156-15A-231. Administration of Building Code Training Fund and Factory Built Housing Fees Account.

In accordance with Subsection 15A-1-209(5)(c), the Division shall use monies received under Subsection 15A-1-209(5)(a) to provide education regarding codes and code amendments to building inspectors and individuals engaged in construction-related trades or professions. In accordance with Subsection 58-56-17.5(2)(c), the Division shall use a portion of the monies received under Subsection 58-56-17.5(1) to provide education for factory built housing. The following procedures, standards, and policies are established to apply to the administration of these separate funds:

(1) The Division shall not approve or deny education grant requests from the Building Code Training Fund or from the Factory Built Housing Fees Account until the Uniform Building Code Commission (UBCC) Education Advisory Committee ("the Committee"), created in accordance with Subsections 58-1-203(1)(f) and R156-15A-201(1)(a), has considered and made its recommendations on the requests.

(2) Appropriate funding expenditure categories include:

(a) grants in the form of reimbursement funding to the following organizations that administer code related or factory built housing educational events, seminars or classes:

- (i) schools, colleges, universities, departments of universities, or other institutions of learning;
- (ii) professional associations or organizations; and
- (iii) governmental agencies.

(b) costs or expenses incurred as a result of educational events, seminars, or classes directly administered by the Division;

(c) expenses incurred for the salary, benefits or other compensation and related expenses resulting from the employment of a Board Secretary;

(d) office equipment and associated administrative expenses required for the performance of the duties of the Board Secretary, including but not limited to computer equipment, telecommunication equipment and costs and general office supplies; and

(e) other related expenses as determined by the Division.

(3) The following procedure shall be used for submission, review and payment of funding grants:

(a) A funding grant applicant shall submit a completed "Application for Building Code Training Funds Grant" or a "Factory Built Housing Education Grant Application" a minimum of 15 days prior to the meeting at which the request is to be considered and prior to the training event on forms provided for that purpose by the Division. Applications received less than 15 days prior to a meeting may be denied.

(b) Payment of approved funding grants will be made as reimbursement after the approved event, class, or seminar has been held and the required receipts, invoices and supporting documentation, including proof of payment, if requested by the Division or Committee, have been submitted to the Division.

(c) Approved funding grants shall be reimbursed only for eligible expenditures which have been executed in good faith with the intent to ensure the best reasonable value.

(d) A Request for Reimbursement of an approved funding grant shall be submitted to the Division within 60 days following the approved event, class, or seminar unless an extenuating circumstance occurs. Written notice must be given to the Division of such an extenuating circumstance. Failure to submit a Request for Reimbursement within 60 days shall result in non-payment of approved funds, unless an extenuating circumstance has been reviewed and accepted by the Division.

(4) The Committee shall consider the following in determining whether to recommend approval of a proposed funding request to the Division:

(a) the fund balance available and whether the proposed request meets the overall training objectives of the fund, including but not limited to:

- (i) the need for training on the subject matter;
- (ii) the need for training in the geographical area where the training is offered; and
- (iii) the need for training on new codes being considered for adoption;

(b) the prior record of the program sponsor in providing codes training including:

- (i) whether the subject matter taught was appropriate;
- (ii) whether the instructor was appropriately qualified and prepared; and
- (iii) whether the program sponsor followed appropriate and adequate procedures and requirements in providing the training

and submitting requests for funding:

(c) costs of the facility including:

(i) the location of a facility or venue, or the type of event, seminar or class;

(ii) the suitability of said facility or venue with regard to the anticipated attendance at or in connection with additional non-funded portions of an event or conference;

- (iii) the duration of the proposed educational event, seminar, or class; and
- (iv) whether the proposed cost of the facility is reasonable compared to the cost of alternative available facilities;
- (d) the estimated cost for instructor fees including:
 - (i) a reimbursement rate not to exceed \$150 per instruction hour without further review and approval of the Committee;
 - ~~[(i)]~~ (ii) the experience or expertise of the instructor in the proposed training area;
 - ~~[(ii)]~~ (iii) the quality of training based upon events, seminars or classes that have been previously taught by the instructor;
 - ~~[(iii)]~~ (iv) the drawing power of the instructor, meaning the ability to increase the attendance at the proposed educational event, seminar or class;
 - ~~[(iv)]~~ (v) travel expenses; and
 - ~~[(v)]~~ (vi) whether the proposed cost for the instructor or instructors is reasonable compared to the costs of similar educational events, seminars, or classes;
- (e) the estimated cost of advertising materials, brochures, registration and agenda materials, including:
 - (i) printing costs that may include creative or design expenses; and
 - (ii) ~~whether~~ delivery or mailing costs ~~including postage and handling, are reasonable compared to the cost of alternate available means of delivery~~ ;
 - (f) other reasonable and comparable cost alternatives for each proposed expense item; ~~and~~
 - (g) ~~any~~ other information the Committee reasonably believes may assist in evaluating a proposed expenditure~~[-]~~ ; ~~and~~
 - (h) a total reimbursement rate of the lesser of \$10 per student hour or the cost of all approved actual expenditures.
- (5) The Division, upon recommendation and approval of the Committee, based upon the criteria in Subsection (4), may reimburse the following items in addition to the lesser of \$10 per student hour or the cost of all approved actual expenditures:
 - (a) text books, code books, or code update books;
 - (b) cost of one Division licensee mailing list per provider per two year renewal period;
 - (c) cost incurred to upload continuing education hours into the Division's online registry for contractors, plumbers, electricians or elevator mechanics; and
 - (d) reasonable cost of advertising materials, brochures, registration and agenda materials, including:
 - (i) printing costs that may include creative or design expenses; and
 - (ii) delivery or mailing costs.
 - ~~[(5)]~~ (6) Joint function.
 - (a) "Joint function" means a proposed event, class, seminar, or program that provides code or code related or factory built housing education and education or activities in other areas.
 - (b) Only the prorated portions of a joint function that are code and code related or factory built housing education are eligible for a funding grant.
 - (c) In considering a proposed funding request that involves a joint function, the Committee shall consider whether:
 - (i) the expenses subject to funding are reasonably prorated for the costs directly related to the code and code amendment or factory built housing education; and
 - (ii) the education being proposed will be reasonable and successful in the training objective in the context of the entire program or event.
 - ~~[(6)]~~ (7) Advertising materials, brochures and agenda or training materials for a Building Code Training funded educational event, seminar, or class shall include a statement that acknowledges that partial funding of the training program has been provided by the Utah Division of Occupational and Professional Licensing from the 1% surcharge funds on all building permits.
 - ~~[(7)]~~ (8) Advertising materials, brochures and agenda or training materials for a Factory Built Housing Fees Account funded educational event, seminar, or class shall include a statement that acknowledges that partial funding of the training program has been provided by the Utah Division of Occupational and Professional Licensing from surcharge fees on factory built housing sales.
 - (9) If an approved event or joint event is not held, no amount is reimbursable with the exception of the costs in Subsection (5)(d).

→ after consideration and recommendation