

SENATE COMMITTEE ON PUBLIC AFFAIRS

April 21, 1999 Hearing Room B

7:00 P.M. Tapes 37 ñ 40

MEMBERS PRESENT: Sen. Gene Derfler, Chair

Sen. Joan Dukes, Vice-Chair

Sen. Eileen Qutub

Sen. Charles Starr

MEMBER EXCUSED: Sen. Thomas Wilde

STAFF PRESENT: Brian E. Smith, Administrator

Rachel E. Halupowski, Administrative Support

MEASURE/ISSUES HEARD: SB 280 Public Hearing and Work Session

SB 914 Public Hearing and Work Session

SB 702 Public Hearing

SB 803 Public Hearing

SB 1084 Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 37, A		
000	Chair Derfler	Opens meeting at 7:00 p.m. and opens public hearing on SB 280.
<u>SB 280 PUBLIC HEARING</u>		
010	John Booton	Department of Consumer and Business Services (DCBS). Presents (EXHIBIT A) . States that a work group convened to discuss SB 280 in regards to the ownership of the financial and statistical data, the single versus multiple statistical agents issue, and the ñ2 amendments offered by the State Accident and

		Insurance Fund Corporation (SAIF). States that SB 280 with the ñ3 amendments reflect that the ownership of the data is invested with the submitting insurer and that the data is confidential. States that should the rating organization not function as required, the director may need to assert his/her authority and assume the responsibilities of the rating organization.
038	Chair Derfler	Asks, if that should happen, will there be remuneration for the information.
040	Booton	Explains that is not the case. States the normal procedure is to replace the organization with an alternative one. States, currently, the director can step in when there is a possibility of not having rates or an experienced rating for Oregon employers.
069	Sen. Starr	Asks why he prefers a single statistical organization.
071	Booton	States to avoid degradation and fragmentation of the database.
077	Sen. Starr	Asks if DCBS supports the ñ3 amendments.
078	Booton	States they do.
080	Sen. Starr	Clarifies that multiple agents may result in information fragmentation.
088	Booton	States that may be an overstatement since this has not yet happened.
095	Jan Reese	Management Labor Advisory Committee (MLAC). States she is here today representing the United Grocers. Presents (EXHIBIT B) . Supports SB 280 with the ñ3 amendments because there is uniformity in a single statistical agent, and currently the system is working. States that multiple statistical agents could jeopardize the overall reliability of Oregon's statistical data pool. Concerned that moving from a single agent to multiple agents will increase overhead costs and employers are afraid they may have to pay those costs. States there is no demonstrated need to move from single to multiple agents.
122	Steve Telfer	Oregon Legislative Counsel, Alliance of American Insurers. Presents (EXHIBIT C) . Supports SB 280 with the ñ3 amendments. States there are concerns with time delays due to multiple rating agencies. States that competition should take place at the rating level, but only one agency should serve as Oregon's agent. States he has reviewed the Florida case, which has two agents, and notes that businesses there with a premium of greater than \$10,000 per year are required to be rated.
180	Mike Taylor	Regional Director, National Council on Compensation Insurance (NCCI). Presents (EXHIBIT D) . Supports SB 280 with the ñ3 amendments. Supports the decision to allow the director to appoint a single statistical agent for workers' compensation insurance. States the NCCI would not object to a selection process by the director to determine who the agent should be. Supports a competitive bid process and a single statistical agent.

199	Robert Malooly	Regional Director, Insurance Data Resource (IDR). Opposes SB 280. Believes Oregon does not need to be limited to a single statistical agent. States that if competing rating organizations cooperate sufficiently by exchanging data promptly and working with the regulators as necessary, Oregon insurance companies would not be able to tell if there was more than one statistical agent. States the advantage to having more than one agent is the opportunity for insurance carriers to choose from a variety of agents.
250	Malooly	States the provisions are already in the statute that gives the regulator the authority to require that level of cooperation. States that if the opportunity was here in Oregon, IDR would compete aggressively for that position.
281	Chair Derfler	Asks how many states have more than one statistical agent.
282	Malooly	States Florida has two statistical agents. States that Florida's insurance department is satisfied with having both agencies.
293	Chair Derfler	Asks how long has Florida been running two statistical agents.
295	Malooly	States, at present, Florida is the only state with two agents and they have had them for just about a year.
297	Chair Derfler	Asks if there is current litigation.
298	Malooly	States there is litigation concerning intellectual property issues. States the litigation is on hold because the two agencies are working together to come to an agreement to solve the issue. States it is in the agents' economic interest to cooperate with each other.
326	Sen. Qutub	Clarifies that Florida is the only state with more than one agent.
328	Malooly	States yes.
335	Dave Davidson	Executive Vice President, Liberty Northwest. Supports SB 280 with the 3 amendments. Concerned with problems that could arise with multiple statistical agents.
376	Chair Derfler	Asks if there is an advantage given to organizations who provide both rating and statistical information.
381	Davidson	States he cannot determine a particular advantage that would be gained in that instance.
409	Cecil Tibbets	Vice President, Human Resources and External Affairs, SAIF. States SAIF must be a member of NCCI in order to do business in the State of Oregon. Gives

		informational and historical background of SAIF and NCCI. States that NCCI services cost SAIF over \$1 million per year.
459	Tibbets	States that errors have occurred with one statistical agent. States a few years ago an error was made, on the part of NCCI, where the premium established by NCCI for the primary trucking certification led to a loss of over \$100,000 for SAIF. States that the error was discovered by SAIF who ensures that the information received from the statistical agent is accurate. States there needs to be a system that would allow for competition between statistical agents.
TAPE 38, A		
010	Tibbets	States that the director has the authority, in existing statute, to regulate issues and require cooperation from the rating organizations and insurers. States that he is concerned with the ñ3 amendments requiring the director to designate only one agent. Believes that if there is only one statistical agent there will not be legitimate competition.
025	Chair Derfler	Asks, if both competitors are doing the same job, would that produce a lot of work and a duplication of efforts.
028	Tibbets	Supports the ñ1 amendments because the number of agents will be determined by the director. States that the director may decide that more than one agent is needed and that option should remain open until more information can be obtained about Florida and what they perceive to be the pros and cons of multiple agents. Opposes the ñ3 amendments because the authority to appoint more than one agent will be taken away from the director.
050	Chair Derfler	Asks if there would be more competition if there is more than one rating company.
052	Tibbets	States that if there is one statistical agent, any rating organization wishing to compete for the rating services will be at a significant disadvantage. States those rating services will need to charge a higher price because they will need to rely on the statistical agent for primary services.
061	Chair Derfler	Recounts the issue of power deregulation to show that an unbundling of costs can work.
068	Tibbets	States that SAIF pays NCCI over \$500,000 a year to give SAIF information that SAIF provided them with in the first place. States the latitude for the director in the ñ1 amendments works well, and asks not to preclude the director from having the authority to choose multiple agents.
092	Chair Derfler	States that going through a competitive bidding process to get the statistical gathering job would put pressure on organizations to be competitive.
096	Tibbets	Believes a competitive process on both levels will not give Oregon everything

		that is possible to gain.
100	Chair Derfler	Closes public hearing and opens work session on SB 280.
<u>SB 280 WORK SESSION</u>		
101	Chair Derfler	States SB 280 needs to be moved today. States the question is whether Oregon prefers one agent or multiple agents.
112	Sen. Starr	Prefers a single statistical agent.
120	Sen. Qutub	Agrees.
127	Sen. Starr	MOTION: Moves TO ADOPT the ñ3 amendments dated 4/20/99 to SB 280.
		VOTE: 4-0 EXCUSED: 1 ñ Wilde
	Chair Derfler	Hearing no objection, declares the motion CARRIED .
133	Sen. Starr	MOTION: Moves SB 280 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 ñ Wilde
	Chair Derfler	The motion CARRIES. SEN. STARR will lead discussion on the floor.
137	Chair Derfler	Closes work session and opens public hearing on SB 914.
<u>SB 914 PUBLIC HEARING</u>		

150	Ray Kerridge	City of Portland. Presents (EXHIBIT E) . States that SB 914 expands the scope of the work allowed under a master permit program outlined in Oregon Revised Statutes 455.190. States that a master permit is a fast-track permitting system specifically for interior tenant remodeling work, and maintenance and repair work in commercial, industrial, and government buildings. States a regular permit must be purchased for each tenant remodeling project carried out for a building. States that for a master permit, a fee of \$100 is paid at the beginning of the year and covers all of the tenant improvements, and the maintenance and repair work carried out in that building for the entire year. States that the program is voluntary and any property manager or developer can join. States there is one inspection team for all the facilities an owner enrolls in the program.
200	Kerridge	States the program enrollment is \$100, but there are hourly rates charged for the services provided by the inspection team. States, previously, a task force was established to develop rules, but what emerged at the end of the process was a limited program with limited application and tight rules.
233	Chair Derfler	Asks if that was the intent of legislation when it was passed.
234	Kerridge	States no. Explains that the rules ended up being that way they were because no one knew what a master permit program could do and there were no other master permit programs throughout the states. Explains that the task force felt a more conservative approach was necessary. States that under the current program occupancy levels cannot be changed, improvements cannot disrupt the tenants' usual activities for more than five days, and exits cannot be changed.
277	Chair Derfler	Asks if the exits can be changed with another permit.
278	Kerridge	States yes.
279	Chair Derfler	Asks that if the legislation passes, how will Kerridge know the rules would not be restrictive again.
280	Kerridge	States the legislature will give direction on how these rules will be developed.
287	Chair Derfler	States the legislative intent was not carried out the last time.
288	Kerridge	States that when the legislation was first drafted in 1993-1994 those defining the intent of the bill were uninvolved parties in the process. States the master permit program is successful, and the City of Portland would like to expand the program. Urges passage of SB 914.
315	Vice-Chair Dukes	Asks what is a tenant improvement.
316	Kerridge	States, for example, a tenant leases a floor in a building but the configuration of the walls does not suit the operation. States the tenant would remodel by putting up new partitions where needed. States this would be a tenant improvement.

325	Vice-Chair Dukes	Asks who retains the permit.
326	Kerridge	States the owner of the building. States the billing goes directly to the owner.
336	Vice-Chair Dukes	Asks if the owner has a say over what the tenant is remodeling.
338	Kerridge	States that at this point there is not a tenant, but the developer has leased the floor and has worked out the model the new client wants.
355	Sen. Starr	States an illustration would be what happened to the house offices during the interim where the walls were reconfigured.
361	Vice-Chair Dukes	Concerned that the person responsible for obtaining the permit is not responsible for doing the work.
373	Kerridge	States there is a team of inspectors with an appointed coordinator. States the inspectors may not deal directly with the owner but with the owner's coordinator, appointed to look out for the owner's interest.
387	Vice-Chair Dukes	Asks if the actual inspections are done by the electrical, plumbing, and building inspectors and not by the coordinator.
389	Kerridge	States yes.
395	Thomasina Gabriele	Institutional Facilities Coalition. Presents (EXHIBIT F) . States the coalition represents the major healthcare institutions and a number of the higher education institutions in Portland. States she serves as the coalition's consultant. States that among the eight institutions in the coalition there are an average of 40 permits obtained per month. States there are campuses that are consistently being modified.
452	Vice-Chair Dukes	Assumes that Lewis and Clark College, Portland State University (PSU), and Portland Community College owns its own buildings. Asks how the colleges fit under this program.
TAPE 37, B		
001	Gabriele	States, in most cases, the higher education institutions are both the owners and tenants of the buildings.
003	Vice-Chair Dukes	Asks if they lease the buildings to themselves.
004	Gabriele	States there is a department that is in charge of all the facilities and buildings. States that if PSU needed administrative offices set up for a new program, the

		facilities planning staff for PSU would determine necessary changes. States the facilities planning staff would then go to the City of Portland office to request permits for those changes.
020	Vice-Chair Dukes	Asks if the program is not only for tenants but also for large spaces under one ownership.
029	Gabriele	States that is correct. States improvements affect the building, so the building owner needs to be involved in obtaining the permits. Supports SB 914 and wants an expanded definition of tenant improvements. States that institutions are considered conditional use and there are special conditions of approval needed for building improvements.
071	Sen. Qutub	Asks to clarify if the definition for tenant improvement needs to be expanded, or under SB 914 the definition is expanded.
076	Gabriele	States SB 914 expands the definition.
080	Dana Roberts	Buildings Codes Division. Presents (EXHIBIT G) . States his organization has worked with the City of Portland and other interested parties to put in place the master permit program. States the program is working and should be expanded.
101	Bill Cross	Building Owners and Managers Association (BOMA). Supports SB 914 because it would provide more direction to the building codes division when they adopt new rules.
109	Gary Wright	UA Local 290 Plumbers and Pipe Fitters. States that the program, in 1993, was kept tight in the rule making process because it was a new program and no one knew how it would work. States he neither supports nor opposes SB 914.
125	Chair Derfler	Closes public hearing and opens work session on SB 914.
<u>SB 914 WORK SESSION</u>		
126	Sen. Qutub	MOTION: Moves SB 914 to the floor with a DO PASS recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 n Wilde
Chair Derfler		The motion CARRIES.

		SEN. QUTUB will lead discussion on the floor.
136	Chair Derfler	Closes work session and opens public hearing on SB 702.
<u>SB 702 PUBLIC HEARING</u>		
142	Ray Phelps	Oregon Building Trade Council. States SB 702 will centralize all the different institutions of government concerning the construction industry. States that if the Construction Contractors Board (CCB) is moved over to DCBS there would be the building codes, Occupational Safety and Health Association (OSHA), and the CCB, which would centralize the construction functions. Asks to amend the ñ1 amendments, page 1, lines 22 through 24, to make it clear that the employees of the CCB continue with their current union representation.
185	Sen. Qutub	Asks who they are represented by now and if the board should continue with the current union representation.
186	Phelps	States the American Federation of State, County, and Municipal Employees (AFSCME) is and should remain as union representation.
187	Chair Derfler	Asks if this is the choice of the employees and if they have the opportunity to change that if needed.
188	Phelps	States the employees do not want to change their present representation.
197	Don Miner	Oregon Manufactured Housing Association (OMHA). Opposes SB 702 and the ñ1 amendments. States that people who sell, transport, and install manufactured homes are regulated by the CCB. States that bigger organizations are not necessarily better for regulated industries.
223	Stephan Kafoury	Oregon Remodelers Association. States, in 1995, there was an audit held to show how well the CCB was performing. States the audit provided recommendations for changes that were later enacted through statute or administrative rule. States the CCB is growing rapidly, yet, the legislature is reluctant to give them funding to meet the growth.
263	Chair Derfler	States they are funded by fees and asks if there is a balance in those fees.
265	Kafoury	States the boards are funded by fees, but the budgets given to Ways and Means at the beginning of session are minimal and boards are not getting the funding needed.
277	Chair Derfler	Asks if there would be an advantage to put the board into a larger organization. States that small agencies are often being cut by the legislature because they cannot fight back. States a larger organization, like DCBS, has the ability to

		protect the smaller board.
279	Kafoury	States he has been involved, successfully, in getting the budget needed from the legislature. States his members are satisfied with the structure of the board. States there is equity and fairness in the way the board deals with disputes. States there is no benefit in changing the present system.
306	Vice-Chair Dukes	States when the board started growing quickly they refused to budget for more staff and a new telephone system. States the board kept a huge reserve fund and hired temporary employees and kept the same telephone system.
327	Sen. Qutub	States her experience with the board is the same as Vice-Chair Dukes' experiences.
337	Kafoury	States there has been a perception that there are problems with the board. States his members have found the board fair and equitable.
360	Miner	Asks if moving the board to a larger organization would make it better.
364	Chair Derfler	States it is a good question.
370	Vice-Chair Dukes	Believes it is good to require the Building Codes Board and CCB in the same place.
380	Ralph Groener	AFSCME. States the amendments need to be consistent with other bills that have been passed out during this session to make sure compensation, bargaining rights, affiliation, and contractual rights of transfer are fulfilled. States that SB 702 needs new amendments and asks the committee to delay moving the bill at this time.
412	Keith Edwards	International Brotherhood of Electrical Workers. Supports SB 702. States SB 702 would coordinate the board and streamline the business more efficiently. Asks for an amendment that would allow employees to retain their current collective bargaining agent.
TAPE 38, B		
001	Wright	Supports SB 702 with the ñ1 amendments.
004	Shawn Miller	Associated Builders and Contractors, Independent Electrical Contractors of Oregon. Support SB 702 with the ñ1 amendments and supports consolidating the agency. Urges the committee to establish an agency that streamlines the DCBS, the CCB, and the Department of Administrative Services.
052	Chair Derfler	Asks how he responds to the statement that bigger is better.

054	Miller	States it is unknown if bigger is better. States that no one has examined the issue.
065	Mike Greenfield	Director, DCBS. Explains he is neutral concerning the passage of SB 702.
081	Sen. Qutub	Asks if the unions representing DCBS employees are AFSCME and another union.
082	Greenfield	States there is AFSCME as well as a public union.
093	Bill Sikora	Executive Director, Plumbing and Mechanical Contractors Association (PMCA). Supports SB 702 and asks the committee to pass it.
099	Mary Mann	President, Independent Contractors of Oregon. Opposes SB 702. States that construction contractors are being regulated and her organization wants a voice in that issue. States that she would be willing to participate in a task force on this issue. States it is premature at this time to merge the functions of CCB with the DCBS.
136	Vice-Chair Dukes	States it took many years to change the industry. States the board went through a significant change to get to where it is now, and there is a fear that the board may revert back to what it was before those changes took place.
145	Mann	States that SB 702 would roll CCB into DCBS.
150	Vice-Chair Dukes	States SB 702 would remove the board and make the director responsible.
154	Mann	States that it will take a lot of money to coordinate this effort. Asks where the CCB reserve fund money will go.
160	Vice-Chair Dukes	States the money is not going anywhere.
164	Mann	States it would eliminate the policy board and the director would be in charge.
166	Chair Derfler	States there is no fiscal impact in regards to costs. Asks how SB 702 would change the structure of the agency.
179	Greenfield	States the policy would be to keep the money that supports specific activities with those activities. States the board would change from a policy board to an advisory board. States the board would be under the director of DCBS.
203	Pat Bridges	Director, Technology and Codes, Oregon Building Industry Association. States there were problems with the CCB over the past few years especially when the policy was implemented regarding new contractors training.

228	Chair Derfler	Asks if he prefers to leave the system as is.
229	Bridges	States yes.
233	Chair Derfler	Closes public hearing and opens public hearing on SB 803.
<u>SB 803 PUBLIC HEARING</u>		
244	Phelps	States SB 803 is a concept long overdue and is consistent with moving the construction industry into a more consolidated effort. States the idea is to create a board to deal with all the various construction needs.
269	Roberts	Presents (EXHIBIT H) . Supports, conceptually, SB 803. States his organization needs to be sure the technical provisions allow for the new board to act in concurrence with the director of DCBS. States that the ñ1 amendments do not take into account that there will still be two other advisory boards that would need to operate under SB 803.
298	Chair Derfler	Asks what those boards would be.
299	Roberts	States the Manufacturers Structures and Parks Advisory Board, and the Building Codes Structures Board.
301	Chair Derfler	Asks if those boards can be added to the other consolidated boards.
303	Roberts	States the board would become too cumbersome. States that by adding three more boards there may be problems.
313	Tim McAchran	States the language in SB 803 does not call for representation from elevator workers as members of the board. States that citizen boards are being lost with consolidation efforts. Believe SB 803 as written is flawed.
340	Chair Derfler	Asks what changes need to be made.
342	McAchran	States he would need to give SB 803 more consideration.
345	Chair Derfler	Asks if he would be willing to discuss those issues with the committee at a later date.
346	McAchran	States he is willing to do that.
360	Bridges	States that SB 803 with the ñ1 amendments would give the authority over all amendments, to any code, to the new board. States he is unsure if that is the

		intent of the ñ1 amendments.
380	Vice-Chair Dukes	States there are no building codes listed in SB 803.
385	Bridges	Explains that the existing language states where the amendments are authorized and appropriated. States that the director collects the amendments and then allocates them for review to the appropriate board.
397	Vice-Chair Dukes	Asks him to show the language.
400	Bridges	Explains, on the hand engrossed version, page 46A, Section 34, by inserting "Electrical and Mechanical Board" it requires all amendments to be submitted exclusively to that board. States that the adoption and modification of all codes is directed to the new Electrical and Mechanical Board.
429	Vice-Chair Dukes	States that even though the Building Codes Structure Board is not listed in SB 803, Bridges believes this language would funnel all amendments to the new Electrical and Mechanical Board. Asks what the board would do then.
431	Bridges	States it is unclear what happens with the authority of the board. States this section deals with the amendments. States that if SB 803 passes the Building Codes Structures Board should be abolished because they will have nothing to do.
445	Chair Derfler	Asks Bridges to come up with changes or suggestions for SB 803.
448	Bridges	States he would be happy to oblige.
TAPE 39, A		
001	Wright	Supports SB 803. States, as the bill stands, the amendments will need to go back to the appropriate advisory boards.
023	Greenfield	States there needs to be technical adjustments made to the amendments. States he will work with the group to remedy those issues.
033	Bridges	States it is unclear what the end result is with the status of the new board. States that SB 803 maintains that the board is a policy board and not an advisory board. States that if the intent is to create a policy board there needs to be an amendment to solve those issues.
044	Greenfield	States that SB 803 was not suggested by the department. States that he cannot speak on the authorsí intent.

050	Wright	States the Mechanical and Electrical Board and the director must be in concert with one another for rule making or code adoptions.
056	Vice-Chair Dukes	States that the new board is an advisory board.
060	Chair Derfler	Prefers an advisory board instead of a policy board.
062	Sikora	Supports SB 803. States the goal is to streamline government and create a more effective and flexible approach to developing policies and oversight of the industry. Agrees on merging the three advisory boards into one board that would have the ability to create technical committees, that would more accurately reflect current industry practices.
087	Fred Koslowske	President, Interstate Mechanical. States his firm is a contracting firm in Portland. Supports SB 803. Urges the committee to pass SB 803.
093	Stan Minor	DNF Plumbing. Supports SB 803.
100	Kathryn Van Natta	Governmental Affairs Manager, Northwest Pulp and Paper Association. States that her plants are always building and they fall into a unique category of the current boards. States that if SB 830 passes, the pulp and paper sector and other industrial manufacturing sectors need to have people representing their employees on the boards.
118	Chair Derfler	Asks if she opposes or supports SB 830.
120	Van Natta	States there is concern with the reduction of number of representatives on these boards, from 33 to 13. Asks if there will still be major manufacturing industrial representatives on the board. State that SB 830 does not specify the particular disciplines or backgrounds of the individuals who represent the board.
137	Chair Derfler	Asks her to provide suggestions to the committee.
138	Van Natta	States she would be happy to contribute.
140	Vice-Chair Dukes	States that if everyone has a representative there would be no way to bring the board down to 13 members.
142	Van Natta	States that is an issue as well.
145	Chair Derfler	States that senate confirmation does solicit from the community whether appointments are supported by the community or not.
147	Van Natta	States it is duly noted.

151	Chair Derfler	Closes public hearing and opens public hearing on SB 1084.
<u>SB 1084 PUBLIC HEARING</u>		
163	Bill Cross	Oregon Building Officials Association. Presents (EXHIBIT I) . States that SB 1084 is patterned after California and Washington where they have a broad-based building codes board that is responsible for adopting the building codes used in those states. States that a broad-based board would be a better way to adopt codes in Oregon. States it would be ideal to create an Oregon Building Codes Board which would have representation from the five specialty code boards and would be responsible for code adoption. States the specialty boards would act in an advisory position.
206	Chair Derfler	Asks if he would expand the board.
207	Cross	States that SB 1084 was drafted to use the Building Codes Structure Board as that board.
213	Chair Derfler	Asks if that board would decide about the codes in such a manner that the director would have no ability to override the board.
214	Cross	Agrees and states that the director implements the codes but would not make the final decisions about the codes.
220	Starr	Asks if this is the opposite of SB 803.
222	Cross	States SB 1084 only covers the code adoption aspects, but does not cover the other aspects of the specialty boards. States SB 1084 would establish a board to represent all the stakeholders.
237	Chair Derfler	Asks if the board only deals with the codes themselves and has nothing to do with certification.
238	Cross	States that is correct.
241	Vice-Chair Dukes	Asks if a director has overridden a recommendation of the boards or the Building Codes Board.
245	Cross	States there have been instances where the director did not accept recommendations on codes from the advisory boards.
247	Vice-Chair Dukes	Asks if the director chose to increase or decrease codes.
249	Cross	States the director chose not to go with one code over another, or chose not to go

		to the next national codes.
260	Vice-Chair Dukes	Asks if that is confusing to the industry.
261	Cross	States that much of the construction industry would prefer to implement the international codes. States this would create consistency in designs and codes across the country.
273	Jane Cummins	League of Oregon Cities. States that there is a new family of codes being developed. States a broad-based board is appropriate and supports looking at this idea.
294	Don Miner	Oregon Manufactured Housing Association. Opposes bringing manufactured homes under the guidelines of SB 1084. States there is an advisory board that advises the director on manufactured home standards including the federal manufactured housing construction standards. States the board also oversees the manufactured home/recreational vehicle parks for these vehicles. States the composition of the board for SB 1084 has no experience in constructing or installing manufactured homes and recreation vehicles.
322	Vice-Chair Dukes	States, at this time, that the advisory board advises the director. Asks what SB 1084 changes.
335	Miner	States the advisory board would advise the other board who would then advise the director.
337	Vice-Chair Dukes	States the language reads that instead of advising one board, two boards are advised. States she is unsure how that works.
343	Miner	States that the Manufactured Structures Board would advise the Special Advisory Board, who would then advise the director.
351	Cross	States that all references to code adoption include the Special Advisory Board and the director, but the reference should be to the Building Codes Structures Board. Prefers to have that reference made to the Oregon Building Codes Board who would implement code adoption. States the director would continue to work with each specialty board and continue implementing other responsibilities including licensure.
366	Vice-Chair Dukes	States it seems strange that one board deals specifically with the codes while another board handles licensing.
371	Cross	States the specialty board would still initiate the code development change and the code process as they do presently, but the final recommendations would go to the Building Codes Board instead of the director.
394	Phelps	States the Oregon State Building Trade Council and the Plumbing Mechanical

		Contractors Association oppose SB 1084. States it is not a good idea to make a board adopt law without holding the board responsible. Prefers to have the committee pass SB 803 because it is a more appropriate bill.
444	Wright	Opposes SB 1084. States that the Manufactured Structures Board would be involved in product approval for plumbing, but there are no plumbers or electricians on the board. States it makes more sense to pass SB 803 without the amendments and require the Mechanical and Electrical Board to be responsible.
469	Roberts	Presents (EXHIBIT J) . Opposes SB 1084. States that the best interests of Oregon cannot be served by a policy board independent from the legislature or administration.
TAPE 40, A		
001	Chair Derfler	Closes public hearing and adjourns meeting at 9:30 p.m.

Submitted By, Reviewed By,

Rachel E. Halupowski, Brian E. Smith,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 280, written testimony, John Booton, 1 p

B ñ SB 280, written testimony, Jan Reese, 1 p

C ñ SB 280, written testimony, Steve Telfer, 1 p

D ñ SB 280, written testimony, Mike Taylor, 1 p

E ñ SB 914, written testimony, Ray Kerridge, 16 pp

F ñ SB 914, written testimony, Thomasina Gabriele, 1 p

G ñ SB 914, written testimony, Dana Roberts, 1 p

H ñ SB 803, written testimony, Dana Roberts, 1 p

I ñ SB 1084, written testimony, Bill Cross, 2 pp

J ñ SB 1084, written testimony, Dana Roberts, 1 p