

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

February 1, 1993 Hearing Room B 9:00 a.m. Tapes 10 -12 MEMBERS

PRESENT: Senator Tricia Smith, Chair Senator Grattan Kerans, Vice  
Chair Senator Brady Adams Senator Wes Cooley Senator Peg Jolin STAFF

PRESENT: Joan Van Almen, Committee Counsel Stephanie Holmes,  
Committee Research Joan Green, Committee Assistant MEASURES

HEARD: Introduction of bill packet SB 29, Relating to electrical  
exemptions SB 30, Relating to licensing

WITNESSES: Gary Wicks, Administrator, Building Codes Agency Don  
Woodley, Chair, Oregon Building Officials Greg Teeple, International  
Brotherhood of Electrical Workers, Local 48 John Gervais, National  
Electrical Contractors Association Tom Higashi, Hearings Officer,  
Building Codes Agency

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation  
marks report a speaker's exact words. For complete contents of the  
proceedings, please refer to the tapes. TAPE 6, SIDE A

006 Chair Smith: Meeting called to order at 9:10 a.m.

INFORMATIONAL MEETING - INTRODUCTION OF BILL PACKET

010 Chair Smith: Reviews packet of LC Drafts I would like a motion to  
introduce these as committee bills, Exhibit A.

030 Sen. Jolin: Will be introducing a bill similar to LC Draft 1890.

034 MOTION: SEN. JOLIN MOVED THAT THE PACKET OF LC DRAFTS, EXHIBIT A,  
BE INTRODUCED AS COMMITTEE BILLS. 047 VOTE: MOTION ADOPTED BY  
CONSENSUS.

PUBLIC HEARING

054 GARY WICKS, ADMINISTRATOR, BUILDING CODES AGENCY: Presents  
overview, Exhibit B. Senate Committee on Labor & Government Operations  
February 1, 1993 - Page 2

162 Chair Smith: No general funds in your Agency?

156 Wicks: None. Continues with overview, Exhibit B.

220 Chair Smith: Were any of your programs affected by the budget  
reductions?

223 Wicks: Our Agency is driven by the economy. Continues with  
overview, Exhibit B.

281 Chair Smith: Does that require code changes, or does it just  
require the inspectors to know two codes? 282 Wicks: Requires  
inspectors to know two codes. 289 Sen. Adams: Do we have an existing  
agreement with California? 292 Wicks: No. 303 Sen. Adams: If there  
is more activity with California than with Washington or with Idaho do  
you have plans to pursue that? 311 Wicks: Oregon produces more of the  
prefab units than Washington or Idaho. If it would be beneficial to us  
we would pursue it. 321 Sen. Adams: I'm interested in how aggressive  
we are going to be in pursuing this. 330 Wicks: We want to do what is  
in Oregon's best interest. Continues with overview, Exhibit B.

387 Chair Smith: Do we receive any funding from Bonneville Power Administration (BPA) to do those inspections? 388 Wicks: Yes.  
414 Chair Smith: Aside from the amusement ride inspectors are there other areas where the inspectors are contract employees? 418 Wicks: No. 419 Chair Smith: This is a change in way your way of doing business? 420 Wicks: Yes. 421 Chair Smith: Are you doing this through legislation? 422 Wicks: No. 438 Sen. Cooley: Refers to pg. 4, Exhibit B, do you contribute on the fee basis back into the Public Employes Retirement System fund or does that come from the general fund?

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. Senate Committee on Labor & Government Operations February 1, 1993 - Page 3

448 Wicks: Responds.

TAPE 11. SIDE A SB 29 - RELATING TO ELECTRICAL EXEMPTIONS

017 GARY WICKS, ADMINISTRATOR, BUILDING CODES AGENCY: Speaks in support of the bill, Exhibit C. 060 Chair Smith: Requests a section by section review of the changes in the law. 066 Wicks: Complies.  
079 Sen. Cooley: What is meant by products? 080 Wicks: Anything having an electrical connection. 092 Stephanie Holmes, Researcher: Reads the statute defining product.

095 Sen. Cooley: Why would you want to exempt any product from the electrical safety law?

096 Wicks: Responds.

105 Sen. Cooley: That could be the interpretation for exemption now, but what about later?

103 Wicks: Responds.

126 Holmes: Reviews the requirements necessary for installation. With this legislation the Board would be allowed a partial exemption rather than the current blanket exemption?

137 Wicks: Correct, it provides the Board more flexibility.

152 Chair Smith: Do you have authority to do other than what the Board directs?

155 Wicks: No. 159 GREG TEEPLE, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 48: Speaks in opposition to the bill.

193 Chair Smith: SB 145 and SB 167 will be re referred to our committee. After we hear these we will act on the bills as a package.

204 Sen. Jolin: I feel SB 29 is a much more responsible approach.

217 Teeple: Responds.

247 Sen. Jolin: The current status is, if they consider full exemption, they may be more cautious.

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the

254 Holmes: In the past, how often were blanket exemptions granted?

259 Teeple: Responds.

267 Holmes: You feel there would be more exemptions granted with partial exemptions?

269 Teeple: I think that is a distinct possibility.

276 JOHN GERVAIS, NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION: Speaks in opposition to the bill, Exhibit D.

335 Chair Smith: Encourages the interested parties to work out any differences they can mutually agree upon outside of the committee process. 337 Gervais: Responds. 376 DON WOODLEY, CHAIR, OREGON BUILDING OFFICIALS: Speaks in support of the bill. 472 Gervais: Reviews membership of the Electrical Board.

TAPE 10, SIDE B SB 30 - RELATING TO LICENSING

016 Gary Wicks, Administrator, Building Codes Agency: Speaks in support of the bill, Exhibit E.

099 Chair Smith: Could the language be consistent in the statutes? For example the Boiler and Electrical language is different.

109 Wicks: It relates back to the language in current law.

116 TOM HIGASHI, HEARINGS OFFICER, BUILDING CODES AGENCY: Responds.

144 Stephanie Holmes, Researcher: How are exams currently being prepared and administered? Why is there now a change from the current system to a national testing organization?

158 Wicks: Responds.

199 Sen. Cooley: Refers to §1, (3), you may do it or have it done by someone else, correct?

204 Wicks: Yes.

206 Sen. Cooley: Who is going to select the examiners?

210 Wicks: We will bid that out.

220 Sen. Cooley: Won't this language give a broad interpretation?

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks repon a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. Senate Committee on Labor & Government Operations February 1,1993 - Page 5

225 Chair Smith: The language is more broad than the existing statute.

233 Wicks: We had "national testing organization", Legislative Counsel changed the wording to "another organization".

240 Higashi: Legislative Counsel was concerned that "national" would restrict us from contracting with a local agency that had the necessary expertise.

254 Chair Smith: "Another organization" is very vague. Perhaps you can work with Legislative Counsel to find language that would be acceptable to this committee and allow you to do what is needed.

284 Sen. Cooley: This affects a number of things besides electrical. I think the bill should be more specific.

297 Wicks: Our intent is to keep it discretionary.

304 Chair Smith: I don't object to the flexibility, however the language is too broad.

316 Sen. Jolin: Shares some of those same concerns. I am also concerned about the make-up of the Boards, as it relates to restructuring.

339 Wicks: Responds.

364 Holmes: Requests clarification on the indicated bias that is mentioned.

383 Wicks: Responds.

413 Holmes: Is the exam code specific?

416 Wicks: Responds.

428 Sen. Adams: What is the purpose of the bill if you already have the authority?

435 Wicks: Responds.

TAPE 11, SIDE B

017 Sen. Adams: Have you considered using ORS 479.840 and modifying that language?

024 Wicks: Responds.

030 Chair Smith: If this bill passes is it your intent that the examination fee paid to a testing company be set in the contract?

037 Wicks: Responds.

043 Chair Smith: What is the advantage to the person entering the field?

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete content. of the proceedings, please refer to the tapes. 5,enate Committee on Labor & Government Operations February 1,1993 - Page 6

046 Wicks: Responds.

050 Chair Smith: Doesn't this occur now?

059 Wicks: Responds.

074 Chair Smith: I understand that we are trying to improve it, but for whom?

085 Wicks: Responds.

102 Chair Smith: Are you doing data collection in the trades, and if not how do you know if your doing the job?

109 Wicks: Responds. 115 Sen. Kerans: You want to have the flexibility to hire a national testing firm so that you can provide an error free and bias free exam? The language just needs to be refined to meet the committee's concerns, perhaps delete "national" and have "recognized testing organization".

148 Wicks: Agrees.

176 Chair Smith: Recaps her understanding of what the Agency can and cannot do, and what they hope to achieve with this bill.

184 Wicks: Concurs.

185 Chair Smith: Where does the electrical program fit in?

187 Wicks: Responds.

211 Holmes: Is there surplus money with the Manufactured Structures and Boilers Boards? 211 Wicks: Responds.

220 Chair Smith: It will affect the fee.

221 Wicks: Responds.

262 JOHN GERVAIS, NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION: Speaks in opposition to the bill.

342 GREG TEEPLE, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 48: Speaks in opposition to the bill.

TAPE 12, SIDE A

011 DON WOODLEY, CHAIR, OREGON BUILDING OFFICIALS: Speaks in support of the bill. ~ .. These minutes contain materials which paraphrase and/or summarize statemenb made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. \_ Senate Committee on Labor & Government Operatioos February 1,1993 - Page 7

040 Sen. Cooley: What prohibits the Agency from buying the test and using it? 044 Woodley: Responds. 055 Chair Smith: Meeting adjourned at 11:10 a.m.

Submitted by: Reviewed by:/ Joan GreenJoan Van Almen  
Assistant Counsel

EXHIBIT LOG: A - Bill packet for committee introduction - Staff - 36 pages B - Overview - Wicks - 8 pages C - Testimony, SB 29 - Wicks - 3 pages D - Position paper - Gervais - 4 pages E - Testimony, SB 30 -

Wicks - 4 pages

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the taper.. -