

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

February 8, 1993                      Hearing Room B 9:00 a.m. HRB                      Tapes 17 -19  
MEMBERS PRESENT: Senator Tricia Smith, Chair Senator Grattan Kerans,  
Vice Chair Senator Brady Adams Senator Wes Cooley EXCUSED:                      Senator  
Peg Jolin STAFF PRESENT: Stephanie Holmes, Committee Research Katy  
Yetter, Clerk

MEASURES HEARD: SB 145 relating to building codes; prescribing an  
effective date WITNESSES:                      Gary J. Wicks, Building Codes Agency Don  
Miner, Oregon Manufactured Housing Association Bud Norte, Manufactured  
Home Owners Association John Gervais, National Electric Contractor's  
Association Greg Teeple, Building Trades and Electrical Workers 48 Gary  
Wright, UA Local 290 (Plumbing Board) 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 17. SIDE A

006 Chair Smith: Meeting called to order at 9:06 PUBLIC HEARING SB 145  
RELATING TO BUILDING CODES: PRESCRIBING AN EFFECTIVE DATE

014            STEPHANIE HOLMES, COMMITTEE RESEARCH: Gives Staff Measure Summary  
as well as a section-by-section analysis of measure. 058 SEN. KERANS:  
Asks for point of clarification on roles of indicated boards.

063            STEPHANIE HOLMES, COMMITTEE RESEARCH: responds by stating which  
boards have advisory status. Resumes with measure description.

200            CHAIR SMITH: Calls Gary Wicks as a witness. 209 GARY WICKS,  
BUILDING CODES AGENCY: Presents testimony in favor of SB 145 (EXHIBIT A).  
CHAIR SMITH: Asks Wicks for examples of insufficiencies within Boards.  
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GARY WICKS, BUILDING CODES AGENCY: Responds by citing areas that could  
use improvement.

SEN. ADAMS: Asks for point of clarification on number of Boards.

SEN. KERANS Requests clarification of language under Section One in  
bill.

SEN. COOLEY: Wonders about distribution of authority as indicated in  
testimony from Wicks.

GARY WICKS, BUILDING CODES AGENCY: Replies that even though statute  
refers to Advisory boards, there exists some degree of statutory  
authority. Policy making authority is to be kept same with two  
exceptions as indicated by testimony.

SEN. KERANS Worries about intent of witness and what is actually spelled  
out in proposition.

GARY WICKS, BUILDING CODES AGENCY: Explains intent.

412            SEN. KERANS Page 16 section 32--Re-read, no questions.

TAPE 18, SIDE A

011            GARY WICKS, BUILDING CODES AGENCY: Continues to give testimony.

083            CHAIR SMITH: Asks if it would be possible to reduce number of  
meetings of the Boards. 085            GARY WICKS, BUILDING CODES AGENCY:  
Responds that yes it would, as well as alleviate some of the confusion  
and overlap of responsibility through the different governing entities.  
Resumes with testimony. CHAIR SMITH: Asks how the Advisory Boards can  
assess civil monetary penalties against anybody? GARY WICKS, BUILDING  
CODES AGENCY: Replies that final resolution is with the Boiler Board.  
CHAIR SMITH: Asks about adoption of rules and how it will affect

authority. GARY WICKS, BUILDING CODES AGENCY: Responds by stating who has authority to impact decisions of the Board. 192 CHAIR SMITH: Asks witness to talk about what has been done in terms of process of making recommendations. GARY WICKS, BUILDING CODES AGENCY: Responds by stating that he meets with the boards and have invited suggestions. 200 CHAIR SMITH: Asks about position of boards on the bill.

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GARY WICKS, BUILDING CODES AGENCY: Responds, gives position of Advisory Board on the bill.

250 CHAIR SMITH: Would like on the record the criteria for making some of the decisions on amendments from Gary Wicks. 271 GARY WICKS, BUILDING CODES AGENCY: Gives examples within the bill of areas that they thought needed work. 280 CHAIR SMITH: Asks for point of clarification on movement of board members. 291 SEN. ADAMS: Sees list of Board members. Would like to know rationale of placement of members. 312: GARY WICKS, BUILDING CODES AGENCY: Replies by citing various responsibilities of Board members and reasons for assigning individuals to the Boards. 366 CHAIR SMITH: Would like clarification of language regarding contractors and a worker in the trades. 370 GARY WICKS, BUILDING CODES AGENCY: States that they are searching for the most qualified individual, regardless of title. 372 SEN. ADAMS: Asks what kind of trades are currently represented on the board? 380 GARY WICKS, BUILDING CODES AGENCY: Does not have current listing, but some examples would be homebuilders, fire protection, etc. 410 SEN. ADAMS: What types of trade will not be represented under new bill?

CHAIR SMITH: Asks Senator Adams to hold question until witnesses are called from these organizations.

445 SEN. ADAMS: Notices some language in bill that does not indicate an area that is mentioned in other places in the bill. I.e., would like clarification on discrepancies of number of members of the general public allowed on the various boards.

TAPE 17, SIDE B

038 GARY WICKS, BUILDING CODES AGENCY: Replies. No persons designated to aforementioned areas. 065 CHAIR SMITH: Explains to committee the reductions in number and their purposes. 075 GARY WICKS, BUILDING CODES AGENCY: Trying to reduce Boards down to a reasonable number, and in the process, has had to eliminate some categories. 088 CHAIR SMITH: Asks why there were changes in language in terms of mobile home parks and

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their representation in the board

094 GARY WICKS, BUILDING CODES AGENCY: They do more in terms of manufacturing and coding. 128 SEN. ADAMS: Asks about tradeoffs between member numbers and organizational efficiencies. 140 GARY WICKS, BUILDING CODES AGENCY: Replies that yes, we will reduce numbers in exchange for some efficiency, but thinks that act will be beneficial. 175 SEN. ADAMS: Asks if the new organizational structure will better protect the health and safety of Oregon citizens. How was this done by reorganization proposition? Also, how are the board members

appointed--by the governor? 180 GARY WICKS, BUILDING CODES AGENCY: On some boards, governor does not have supreme authority to appoint or remove individuals. 230 CHAIR SMITH: Asks witness about adoption of rules and who has authority to do so. 240 GARY WICKS, BUILDING CODES AGENCY: Replies that he does; goes on to state that point of testimony is to provide consistency of responsibility throughout Organization. Under new bill, could not change requirements or rules without Board approval. 290 CHAIR SMITH: In the bill, where is the difference of responsibility in terms with where it is now? 311 GARY WICKS, BUILDING CODES AGENCY: Answers by stating intended authority distribution. 316 CHAIR SMITH: Have there been any difficulties in filling positions? 322 GARY WICKS, BUILDING CODES AGENCY: Some--depends on the board. 330 SEN. ADAMS: Asks witness if he would be opposed to suggestions of committee defining term limits and methods of member appointments? 360: CHAIR SMITH: Intends to adjourn at 11:15 a.m. Introduces Don Miner, Oregon Manufactured Housing Association.

TAPE 18, SIDE B

030 DON MINER, OREGON MANUFACTURED HOUSING ASSOCIATION: Presents Testimony Against SB 145 (EXHIBIT B). 090 CHAIR SMITH: Asks witness if he know some specifics on Mobile Home parks in Oregon. 095 DON MINER, OREGON MANUFACTURED HOUSING ASSOCIATION: Replies with information on these parks.

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110 CHAIR SMITH: Do you anticipate more individuals buying mobile homes? 120 DON MINER, OREGON MANUFACTURED HOUSING ASSOCIATION: He hopes so. Continues with testimony. 186 SEN. ADAMS: States some other legislation, and asks witness his position on these changes. 198SEN. KERANS Calls for next witness. 207 BUD NORTE, MANUFACTURED HOME OWNERS ASSOCIATION: Presents testimony against SB 145 (EXHIBIT C). 241 SEN. ADAMS: Opposed to change form 3 year term to 4 year term appointed by the governor? 246 BUD NORTE, MANUFACTURED HOME OWNERS ASSOCIATION: No, they would not. 280 SEN. KERANS Calls John Gervais as a witness. 285 JOHN GERVAIS, NATIONAL ELECTRIC CONTRACTORS ASSOCIATION: Presents testimony against SB 145 (EXHIBIT D).

TAPE 19, SIDE A

025 SEN. KERANS Asks about the difference between what the bill will do to them and what they are doing now. 032 JOHN GERVAIS, NATIONAL ELECTRIC CONTRACTORS ASSOCIATION: There is proposed legislation to make some changes in plan; however, specifics were not stated. 156 CHAIR SMITH: Difficulties in filling seats? 060 JOHN GERVAIS, NATIONAL ELECTRIC CONTRACTORS ASSOCIATION: Yes, but has found some highly talented individuals to fill them. 062 SEN. KERANS: Why are there difficulties in finding members for the boards? 070 SEN. ADAMS: Asks about the 3 year term to 4 year term appointed by governor. 078 JOHN GERVAIS, NATIONAL ELECTRIC CONTRACTORS ASSOCIATION: States position. 085 GREG TEEPLE, BUILDING TRADES AND ELECTRICAL WORKERS 48: Presents testimony. 120 CHAIR SMITH: States that SB 167 will be heard before action is taken on SB 145. Calls Gary Wright as a witness. 168 GARY WRIGHT, UA LOCAL 290: Presents testimony against SB 145.

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210 CHAIR SMITH: Asks Wright if plumbing board was given copy of bill

and if so, what their position was on it.

221 GARY WRIGHT, UA LOCAL 290: As far as he was aware, they were not in favor of it.

Chair Smith adjourns meeting at 11:13 Submitted by:

Reviewed by: Katy Yetter  
Joan Van Almen Counsel

Clerk EXHIBIT

LOG:

A - Testimony on SB 145 - Gary Wicks - 4 pages B - Testimony on SB 145 - Don Miner - 3 pages C - Testimony on SB 145 - Bud Norte - 1 page D - Testimony on SB 145 - John Gervais - 3 pages E - Testimony on SB 145 - NECA/IBEW/IECO - 2 pages

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