

House Bill 3429

Sponsored by Representatives SPRENGER, SCHAUFLEER; Representatives BENTZ, ESQUIVEL, FREEMAN, GARRARD, HUFFMAN, JOHNSON, KENNEMER, KRIEGER, OLSON, THOMPSON, WHISNANT, Senators FERRIOLI, GIROD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Department of Administrative Services to adopt rules regarding use of wood in buildings constructed by public body using state funding. Prohibits use of state funding for buildings not conforming with rules. Requires department to consult with representatives of local government, building trades, wood products industry and other parties before adoption or modification of rules.

Makes rules applicable to buildings for which initial disbursement of state funding occurs on or after July 1, 2012.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to the wood content of buildings constructed using state funding; and declaring an emer-
2 gency.

3
4 Whereas wood is a strong, lightweight and flexible building material; and

5 Whereas wood is organic, sustainable, natural, recyclable and renewable; and

6 Whereas wood products require less water and energy and are more carbon efficient to manu-
7 facture than any other material; and

8 Whereas wood sequesters carbon for or beyond the life of a wood product; and

9 Whereas wood products reduce greenhouse gases in the atmosphere by being energy and carbon
10 efficient and by sequestering carbon; and

11 Whereas wood is cost-effective and abundant, allowing wood to easily be sourced locally; and

12 Whereas wooden building systems have superior seismic performance; and

13 Whereas wood has a much lower thermal conductivity than comparable building materials; and

14 Whereas the use of wood for building supports the economy of Oregon and its rural communi-
15 ties; and

16 Whereas wooden buildings are long-lived and are easy to renovate, expand and adapt for
17 changing uses; and

18 Whereas wood is visually appealing, warm and inviting; now, therefore,

19 **Be It Enacted by the People of the State of Oregon:**

20 **SECTION 1. (1) As used in this section:**

21 (a) **“Construction” means the creation of a new building or of an addition that increases**
22 **the area of an existing building.**

23 (b) **“Public body” has the meaning given that term in ORS 174.109.**

24 (c) **“State funding”:**

25 (A) **Except as provided in subparagraph (B) of this paragraph, means an expenditure of**
26 **moneys from a state fund or account or the issuance of bonds on behalf of a state agency**
27 **to allow or expedite the construction of a building erected by or on behalf of a public body.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (B) Does not mean:

2 (i) An expenditure of moneys from a state fund or account or the issuance of bonds on
3 behalf of a state agency to allow or expedite the design of a building; or

4 (ii) An expenditure of moneys from a state fund or account in the form of an unrestricted
5 grant.

6 (2) The Oregon Department of Administrative Services shall adopt rules regarding the
7 construction of buildings by public bodies that are financed in whole or in part through state
8 funding. The rules shall include, but need not be limited to, the following:

9 (a) Provisions designed to ensure that the building materials used are, to the maximum
10 extent practicable, made from wood.

11 (b) To the extent consistent with the state building code, recommended best practices for
12 the use of wood in construction of the buildings.

13 (c) Advice regarding the form and content of agreements and other arrangements for the
14 design or construction of the buildings.

15 (d) Requirements for reporting on the use of wood construction in the buildings. The
16 reporting requirements shall include, but need not be limited to, the form, content and tim-
17 ing of reports, mandatory recordkeeping and the availability of records for inspection.

18 (3) The department shall periodically review and update rules adopted under this section.
19 Before updating the rules, the department shall consult with the Capital Projects Advisory
20 Board, representatives of local government, building trades and the wood products industry
21 and experts in building design and construction.

22 (4) The design for a building that is to be erected by a public body and to be financed in
23 whole or in part through state funding must be submitted for review by the department or
24 by another party designated or approved by the department. If the design does not comply
25 with the rules adopted under this section, a state agency may not provide state funding for
26 the building until the design is modified to comply with the rules.

27 (5) If construction of a building by a public body is funded in whole or in part from state
28 funding, the construction must be designed and completed in conformity with the department
29 rules adopted under this section. If the department determines that the construction of a
30 building subject to this section does not comply with department rules adopted under this
31 section, the department may demand the return of any unexpended state funding for the
32 building and may disqualify the public body from receiving additional disbursements of state
33 funding for building construction during a period determined by the department, not to ex-
34 ceed two years.

35 **SECTION 2.** The Oregon Department of Administrative Services and the Capital Projects
36 Advisory Board shall consult with experts in the fields of wood building materials and the
37 technology, design and construction of wooden buildings for the purpose of facilitating the
38 initial adoption of department rules under section 1 of this 2011 Act. The experts must in-
39 clude, but need not be limited to, architects, representatives of building trades and repre-
40 sentatives of the University of Oregon School of Architecture and Allied Arts, the Oregon
41 State University Oregon Wood Innovation Center and other academic institutions. The de-
42 partment and the advisory board shall also consult with wood products industry groups and
43 make use of wood industry group programs, including, but not limited to, the wood design
44 engineering software program produced by the American Wood Council. The department
45 shall complete the initial adoption of rules under section 1 of this 2011 Act in time for the

1 rules to filed with the Secretary of State before January 1, 2012.

2 **SECTION 3.** Section 1 of this 2011 Act applies to buildings for which state funding is ini-
3 tially disbursed to a public body on or after July 1, 2012.

4 **SECTION 4.** Section 2 of this 2011 Act is repealed January 2, 2014.

5 **SECTION 5.** This 2011 Act being necessary for the immediate preservation of the public
6 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
7 on its passage.

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