

SENATE AMENDMENTS TO SENATE BILL 440

By COMMITTEE ON RULES

April 13

1 On page 1 of the printed bill, delete lines 4 through 7 and insert “417.845, 442.830, 455.144,
2 455.492, 468A.220, 480.540, 507.050, 660.321 and 693.125 and section 8, chapter 802, Oregon Laws
3 2007, and section 1, chapter 782, Oregon Laws 2009; repealing ORS 171.865, 171.867 and 541.407; and
4 declaring an emergency.”.

5 On page 9, delete lines 41 through 45 and delete page 10.

6 On page 11, delete lines 1 through 19 and insert:

7 “**NOTE:** Section 11 was deleted by amendment. Subsequent sections were not renumbered.”.

8 On page 14, delete lines 27 through 45 and delete page 15 and insert:

9 “**NOTE:** Section 15 was deleted by amendment. Subsequent sections were not renumbered.”.

10 On page 20, delete lines 8 through 45.

11 On page 21, delete lines 1 through 6 and insert:

12 “**SECTION 20.** (1) **The Electrical and Elevator Board established in ORS 455.138, the**
13 **Board of Boiler Rules established in ORS 480.535 and the State Plumbing Board established**
14 **in ORS 693.115 shall each meet at least four times per year at times and places specified by**
15 **the Director of the Department of Consumer and Business Services after consultation with**
16 **the board, or at times and places specified by the call of a majority of the members of the**
17 **board after consultation with the director.**

18 “(2) **The Building Codes Structures Board established in ORS 455.132, the Residential and**
19 **Manufactured Structures Board established in ORS 455.135, the Mechanical Board established**
20 **in ORS 455.140 and the Construction Industry Energy Board established in ORS 455.492 shall**
21 **each meet at least twice per year at times and places specified by the Director of the De-**
22 **partment of Consumer and Business Services after consultation with the board, or at times**
23 **and places specified by the call of a majority of the members of the board after consultation**
24 **with the director.**

25 “**SECTION 21.** ORS 455.144 is amended to read:

26 “455.144. (1) The Building Codes Structures Board, the Electrical and Elevator Board, the Resi-
27 dential and Manufactured Structures Board and the Mechanical Board shall each be organized and
28 governed as described in this section.

29 “(2)(a) The term of office of each member is four years and [*no member shall be*] **a member is**
30 **not** eligible for appointment to more than two full terms of office. The Governor shall appoint the
31 members of each board and the board members shall serve at the pleasure of the Governor.

32 “(b) Before the expiration of the term of a member, the Governor shall appoint a successor
33 whose term begins on July 1 next following. [*A member is eligible for reappointment.*] If there is a
34 vacancy for any cause, the Governor shall make an appointment to become immediately effective for
35 the unexpired term.

1 “(3) A member of each board is entitled to compensation and expenses as provided in ORS
2 292.495.

3 “(4) A board shall select one of its members as chairperson and another as vice chairperson, for
4 such terms and with duties and powers necessary for the performance of the functions of such po-
5 sition as the board determines.

6 “(5) A majority of the members of a board constitutes a quorum for the transaction of business.

7 “[6] *Each board shall meet once every three months at a place, day and hour determined by the*
8 *board. A board shall also meet at other times and places specified by the call of the Director of the*
9 *Department of Consumer and Business Services.*]

10 “[7] (6) In accordance with applicable provisions of ORS chapter 183, the director may adopt
11 rules necessary for the administration of the laws that the Department of Consumer and Business
12 Services is charged with administering.

13 “[8] (7) The Governor may remove a board member for good cause. ‘Good cause’ for removal
14 of a member includes, but is not limited to, three unexcused absences during any 12-month period
15 from a regularly scheduled board meeting.

16 “[9] (8) The appointment of a member of a board is subject to confirmation by the Senate
17 pursuant to section 4, Article III of the Oregon Constitution.

18 “**SECTION 22.** ORS 455.492 is amended to read:

19 “455.492. (1) There is established a Construction Industry Energy Board, consisting of seven
20 members. The membership shall consist of the following:

21 “(a) Two members selected by the Electrical and Elevator Board from the members of the
22 Electrical and Elevator Board who have practical experience in the electric industry.

23 “(b) Two members selected by the Residential and Manufactured Structures Board from the
24 members of the Residential and Manufactured Structures Board who have practical experience in
25 the residential structure industry or manufactured structure industry.

26 “(c) Two members selected by the Building Codes Structures Board from the members of the
27 Building Codes Structures Board who have practical experience in construction.

28 “(d) One member who is an employee or officer of the State Department of Energy appointed
29 by the Director of the State Department of Energy.

30 “(2) The Construction Industry Energy Board shall select one of its members as chairperson and
31 another as vice chairperson, for such terms and with duties and powers necessary for the perform-
32 ance of the functions of those positions as the board determines.

33 “(3) Except as provided in ORS 455.496 (2), a majority of the members of the board constitutes
34 a quorum for the transaction of business.

35 “[4] *The board shall meet at least twice each year, at times and places specified by the Director*
36 *of the Department of Consumer and Business Services or by the call of a majority of the members.*]

37 “[5] (4) A member of the board is not entitled to compensation, but at the discretion of the
38 director may be reimbursed from funds available to the Department of Consumer and Business Ser-
39 vices for actual and necessary travel and other expenses incurred by the member in the performance
40 of the member’s official duties in the manner and amount provided in ORS 292.495.

41 “**SECTION 23.** ORS 480.540 is amended to read:

42 “480.540. (1) The term of office of a member of the Board of Boiler Rules is four years and [*no*
43 *member shall be*] **a member is not** eligible for appointment to more than two full terms of office.
44 A member shall continue to serve until a successor has been appointed and qualified. Vacancies
45 shall be filled by appointment for the unexpired term.

1 “(2) *In addition to ORS 480.545 and 480.615, the Board of Boiler Rules shall be governed by the*
2 *following:*]

3 “[*a*] *The board shall meet not less than four times a year.*]

4 “[*b*] **(2)** The chief boiler inspector shall serve without a vote as secretary of the board.

5 “[*c*] **(3)** The Governor may remove any member of the board for cause.

6 “[**(3)**] **(4)** [*Each*] **A** member of the board is entitled to compensation and expenses as provided in
7 ORS 292.495.

8 “**SECTION 24.** ORS 693.125 is amended to read:

9 “693.125. (1) The State Plumbing Board shall select one of its members as chairperson and an-
10 other as vice chairperson, for terms and with duties and powers necessary for the performance of
11 the functions of such offices as the board determines.

12 “(2) A majority of the members of the board constitutes a quorum for the transaction of busi-
13 ness.

14 “[**(3)**] *The board shall meet as the board determines necessary, but not less than once every other*
15 *month, at a place, day and hour determined by the board. The board also may meet at other times and*
16 *places specified by the call of the chairperson or of a majority of the members of the board.]”.*

17 In line 7, delete “21” and insert “25”.

18 In line 8, delete “22” and insert “26”.

19 In line 11, delete “23” and insert “27”.

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