

HOUSE AMENDMENTS TO HOUSE BILL 2005

By COMMITTEE ON ENERGY AND ENVIRONMENT

April 19

1 In line 2 of the printed bill, after the semicolon insert “creating new provisions; amending ORS
2 455.140, 455.492 and 455.496;”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1. Section 2 of this 2013 Act and ORS 455.140, 455.492 and 455.496 are added to
5 and made a part of ORS chapter 455.**

6 **“SECTION 2. The Legislative Assembly finds and declares that:**

7 **“(1) It is in the best interest of the State of Oregon to encourage energy efficiency and
8 cost savings through effective mechanical insulation standards; and**

9 **“(2) To fulfill the best interest described in subsection (1) of this section it is beneficial
10 for building owners, operators, contractors, installers, inspectors and regulators to collab-
11 orate and identify ways to ensure that mechanical systems operate as efficiently as possible,
12 giving particular attention to maximizing the energy savings of publicly financed buildings.**

13 **“SECTION 3. ORS 455.492 is amended to read:**

14 **“455.492. (1) There is established a Construction Industry Energy Board, consisting of [seven]
15 11 members. The membership shall consist of the following:**

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

18 **“(b) Two members selected by the Residential and Manufactured Structures Board from the
19 members of the Residential and Manufactured Structures Board who have practical experience in
20 the residential structure industry or manufactured structure industry.**

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

23 **“(d) Two members selected by the State Plumbing Board from the members of the State
24 Plumbing Board who have practical experience in construction.**

25 **“(e) Two members selected by the Mechanical Board from the members of the Mechan-
26 ical Board who have practical experience in construction.**

27 **“[(d)] (f) One member who is an employee or officer of the State Department of Energy ap-
28 pointed by the Director of the State Department of Energy.**

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

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

34 **“(4) A member of the board is not entitled to compensation, but at the discretion of the director
35 may be reimbursed from funds available to the Department of Consumer and Business Services for**

1 actual and necessary travel and other expenses incurred by the member in the performance of the
2 member's official duties in the manner and amount provided in ORS 292.495.

3 **"SECTION 4.** ORS 455.496 is amended to read:

4 "455.496. (1) The Construction Industry Energy Board may evaluate and approve or disapprove
5 proposed state building code standards relating to the energy use and energy efficiency aspects of
6 the electrical, structural, prefabricated structure and low-rise residential specialty codes. The pro-
7 posed standards evaluated by the board may include, but need not be limited to, standards regarding
8 energy-conserving technology, construction methods, products and materials. The board shall for-
9 ward any proposed standards recommended by the board to the Director of the Department of
10 Consumer and Business Services for adoption or rejection by the director.

11 "(2) Approval by [*five*] **seven** or more board members is required in order to recommend
12 adoption of an energy construction standard to the director. If the standard relates to a specialty
13 code that is administered by an advisory board described in ORS 455.492 (1)(a) to [(c)] (e), the Con-
14 struction Industry Energy Board may not recommend the standard to the director unless all of the
15 Construction Industry Energy Board members who are members of the advisory board that admin-
16 isters that specialty code approve of recommending the standard.

17 "(3) Notwithstanding any provision of **this chapter or** ORS chapter 446 [*or 455*] or ORS 479.510
18 to 479.945 or 479.950, **or any provision of ORS chapter 447 regulating fixture installations or**
19 **regulating plumbing products**, the director may adopt or reject a proposed standard recommended
20 by the Construction Industry Energy Board without further consultation of an advisory board. No
21 later than 30 days after the director receives the proposed standard, the director shall initiate a
22 process for considering the approval or rejection of the recommended proposed standard. If the di-
23 rector approves the standard, the director shall file the standard with the Secretary of State under
24 ORS 183.335 as a rule amending the state building code.

25 "(4) The Construction Industry Energy Board shall identify and give notice to the director of
26 the specialty codes that are affected by a recommended proposed standard. If the director adopts the
27 standard as a rule, the rule shall be enforceable as a specialty code provision administered by the
28 board and enforceable by any appropriate advisory board as a provision of the code administered
29 by that advisory board.

30 **"SECTION 5.** ORS 455.140 is amended to read:

31 "455.140. (1) There is established a Mechanical Board consisting of nine members appointed by
32 the Governor.

33 "(2) The members of the board shall assist the Director of the Department of Consumer and
34 Business Services in administering the code adopted pursuant to ORS 455.020 for mechanical devices
35 and equipment.

36 "(3) The board must consist of:

37 "(a) One representative of the plumbing industry;

38 "(b) One sheet metal and air conditioner contractor;

39 "(c) One municipal mechanical inspector possessing the highest level of mechanical inspector
40 certification issued by the Department of Consumer and Business Services;

41 "(d) One heating, venting and air conditioning contractor;

42 "(e) One heating, venting and air conditioning installer;

43 "(f) One sheet metal and air conditioner installer;

44 "(g) One representative of a natural gas company or other utility;

45 "[*h*] One building official; and]

1 “(h) One insulation craftsperson who has experience with heat and frost insulation; and

2 “(i) One public member who does not receive compensation from any interest represented under
3 paragraphs (a) to (h) of this subsection.

4 “(4) At least one of the board members described in subsection (3)(b) or (d) of this section must
5 be an owner or operator of a contracting business employing 10 or fewer persons at the time of the
6 member’s appointment to the term.

7 “**SECTION 6. Notwithstanding the amendments to ORS 455.140 by section 5 of this 2013**
8 **Act, the building official member whose position on the Mechanical Board is eliminated by**
9 **the amendments to ORS 455.140 by section 5 of this 2013 Act may continue to serve on the**
10 **board until the Governor has appointed a replacement member.**

11 “**SECTION 7. Sections 2 and 6 of this 2013 Act are repealed January 2, 2015.**

12 “**SECTION 8. This 2013 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
14 **on its passage.”.**

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