



Oregon Construction Coalition



Honorable Representative Pam Marsh, Chair
House Energy and Environment Committee

The Oregon Construction Coalition represents workers, and contractors engaged in safe, durable, and quality construction. Our workers, and members represent construction groups in all aspects of development. We support predictable, and consistent standards to train our workers based on national construction practices that are uniformly enforced.

Some key principles of our uniform system of regulation include a high degree of certainty, and compliance statewide. This approach benefits businesses, but it also ensures equal treatment, and protection of all citizens regardless of their location, and socioeconomic status. HB 2398 appears to undercut this foundational principle.

Oregon has had a long history of proactive statewide codes based on proven national model standards. This approach has placed Oregon in the top 10 nationally year after year in energy efficiency (Oregon’s State energy efficiency scorecard is currently number nine in the country). The governor has issued two executive orders related to building codes; both orders maintain the system of statewide codes, robust stakeholder engagement, and adherence to cost benefit analysis, in addition to the required fiscal impact, and small business impact for agency rulemaking.

HB 2398 takes a voluntary code and makes this “best-practice” code a mandatory code without any of the procedural, and due diligence required when mandatory codes are adopted. Currently, contractors must build to a well-vetted set of national model codes, or build to “above-code” programs offered by the Energy Trust, and other entities buying down the cost to consumers. This bill appears to add another layer of code without a nexus to the incentive programs consumers pay for through their utility bills.

In 2021, Oregon will adopt at least five new major building codes, all established virtually during the pandemic. We are told that some of the codes adopted this year will go through another major rewrite in just two years. We think adding another set of codes will create confusion, increase cost while we are facing an uncertain economy, as well as challenges maintaining, and training our workforce, accompanied by a high demand for affordable housing.

We believe this issue needs further examination, and development of an appropriate baseline to determine energy savings, a comprehensive return on investment study, and robust analysis of the effects on small businesses, as well as making sure we are not treating people differently based solely on where they live.

