

## **SB 1061 A -A5 STAFF MEASURE SUMMARY**

### **House Committee On Agriculture, Land Use, Natural Resources, and Water**

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**Prepared By:** Anna Glueder, LPRO Analyst

**Meeting Dates:** 5/12, 5/19

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#### **WHAT THE MEASURE DOES:**

The measure requires the Director of the Oregon State University Extension Service to establish a lumber grading training pilot program and directs the Oregon Department of Consumer and Business services to establish a process by which lumber graded under the pilot program may be obtained and used.

#### Detailed Summary:

- Requires the Oregon State University (OSU) Extension Service, in consultation with the Department of Consumer and Business Services (DCBS), to establish a basic lumber grading training pilot program that would be offered annually through the OSU Extension Service.
- Requires the pilot program to include requirements for successful program completion, certification, and recertification and, at minimum, the following content:
  - Eight instructional hours, including hands-on practice
  - Instruction in regionally relevant species identification, moisture content considerations, and visual grading criteria for structural dimension lumber
- Requires the pilot program to include certification requirements for instructors who must:
  - Demonstrate substantial expertise in visual lumber grading through a valid grader certification, seven years of professional experience, or equivalent qualifications as approved by the OSU Extension Service
  - Maintain continued competency through industry involvement, refresher coursework, or other methods as approved by the OSU Extension Service
- Directs the OSU Extension Service to issue certifications and recertifications to individuals who successfully complete the pilot program
- Requires recertification every five years.
- Directs DCBS to establish by rule a process for a builder, designer, or owner to use lumber that is tested and approved by an individual who is certified under this pilot program. Specifies that the rule making process
  - May not establish, create, or accept new grade or design values as part of Oregon's building code
  - Must permit the use of self-graded lumber only for structures subject to the Oregon Residential Specialty Code
  - Must require the intention to use self-graded lumber to be disclosed in the building permit application
  - Must require self-graded lumber to originate from a known source requiring a documented relationship or permit between the lumber owner and the purchaser of the milled lumber
- Exempts manufacturers, distributors, wholesalers, retailers, or graders of third-party grader lumber from liability in whole or in part for failure of or defects in self-graded lumber in structures subject to the Oregon Residential Specialty Code.
- Sunsets the pilot program on January 2, 2033.

*FISCAL: Has minimal fiscal impact*

*REVENUE: No revenue impact*

*SENATE VOTE: Ayes 27; Nays 2; Excused 0*

#### **ISSUES DISCUSSED:**

#### **EFFECT OF AMENDMENT:**

-A5 The amendment corrects a grammatical construction.

*FISCAL: May have fiscal impact, but no statement yet issued*

*REVENUE: May have revenue impact, but no statement yet issued*

**BACKGROUND:**

The American Lumber Standard Committee (ALSC) developed the American Softwood Lumber Standard (Standard) in accordance with the U.S. Department of Commerce's Procedures for the Development of Voluntary Product Standards. Voluntary Product Standards are developed under procedures published by the U.S. Department of Commerce in Title 15 Code of Federal Regulations Part 10. The intent of these standards is to have nationally recognized requirements for products and the use of Voluntary Product Standards is voluntary. The National Institute of Standards and Technology (NIST) administers the Voluntary Product Standards Program. The Secretary of Commerce appoints membership on the ALSC with a mix of producers, distributors, and consumers of softwood lumber. The ALSC maintains the Standard and establishes other related policies and standards. The Standard allows for the grading of structural lumber by visual and mechanical means. The Standard applies to domestic production of lumber and to lumber imported into the United States.