



April 7, 2025

Oregon Senate Committee on Labor and Business
Attn: Chair Kathleen Taylor
900 Court St. NE, S-209
Salem, OR 97301

Sent via email to: Sen.KathleenTaylor@oregonlegislature.gov

Subject: Opposition Arguments for Amended Senate Bill 1061

Dear Chair Taylor:

On behalf of the Pacific Lumber Inspection Bureau (PLIB), I submit the following comments regarding the Senate Bill 1061 with the proposed amendments of April 4, 2025. We previously submitted comments to the original bill on March 31, 2025.

PLIB acknowledges that the proposed amendments represent a substantial improvement from the original bill as proposed; however, there remain several items that continue to cause serious concern for us. As such, we oppose SB 1061 as amended and recommend that the committee vote against moving the bill forward for the following reasons:

- 1) As noted in our letter of March 31, we continue to strongly believe that SB 1061, even with its amendments, is fundamentally unnecessary for the simple reason that there already exists a pathway for small operators, landowners, and the public to have lumber graded by an ALSC accredited agency through transient lumber grading service. These services are readily available at reasonable cost and result in lumber that has been graded by an ALSC agency that is recognized under the Oregon code. Using the transient inspection services keeps the judgement on whether lumber meets the published grade requirements with the appropriate expert lumber graders rather than transferring this assessment and liability to the novice grader, code official, and county. There is no need to create a parallel system.
- 2) Section 1.(1)(c)(A) requires a minimum of eight instructional hours including hands-on practice with physical lumber samples. This is insufficient time to become proficient at grading lumber. Becoming a certified grader requires not only book knowledge of the characteristics allowed in the grade, but also hours of practice grading a wide variety and quantity of lumber samples. This practice would normally only be possible when large sample sizes of lumber are available, as at a lumber mill, not a classroom setting. In addition, proficiency must be demonstrated over multiple sessions, not based on a one-time sample. The ALS system and the accredited grading agencies are constantly monitoring the performance of graders each month. Those that receive the certificate from the state will not have the same experience, expertise, training, and most importantly the regular oversight and monitoring that the ALSC system provides.

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1010 S. 336th Street, Suite 210 | Federal Way, WA 98003

PHONE 253.835.3344 | FAX 253.835.3371 | plib.org

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- 3) We appreciate the amendments to Section 1 that have eliminated the exemption to certain individuals and have refined the requirements for instructor qualifications. However, Section 1.(1)(d)(A)(ii) and (iii) still provide two pathways for being considered qualified to serve as an instructor that may include persons who have no direct experience grading lumber. People meeting either of these two sections may, in fact, have little expertise grading lumber yet still be considered qualified to be an instructor. It should be a basic requirement that any instructor be certified as a grader by an ALSC accredited agency.
- 4) Section 1.(3) states that individuals holding a certificate must be recertified every five years. This is far too long to wait to be recertified. Under this bill, a person could become certified and grade their first stick of lumber three or four years later, without having any further exposure to grading lumber than what they received in the initial class. The old saying “use it or lose it” certainly applies with lumber grading. I think it would be a mistake to assume someone who infrequently grades lumber should be considered proficient on the basis that they passed an eight-hour class alone. Regular reassessment and monitoring are essential and the bill does not provide for this save for every five years, which is inadequate.
- 5) We applaud the inclusion of new language in Section 2.(1)(a) and (b) and 2.(3) that better defines the difference between self-graded and third-party graded lumber and the requirements concerning disclosure and recording when self-graded lumber is used. However, the language that required the department design forms has been removed and there is no language that references how the self-graded lumber is to be identified. How is a code official to determine what grade of lumber is being used in different structural elements without some kind of labeling of the individual pieces? An interior wall may require a different lumber grade than a roof rafter or floor joist, but without any requirement to include a label identifying the grade, there would be no way to know what grades were used in different applications. This could result in the wrong grade of lumber being used where it is not intended and creates a risk for structural failure.

We recognize that the bill contains some elements that are an improvement over the original bill, but there are still several significant holes that remain. Further, we stand by the fundamental premise that this bill is not needed and satisfactory remedies already exist. For these reasons and those stated above, we oppose the adoption of S.B. 1061 as amended and respectfully ask the sponsor to consider a grant-based approach as a solution to the issue.

I am happy to be available to address questions or provide assistance to the committee.

Sincerely,

A handwritten signature in black ink that reads 'Jeffrey A. Fantozzi'. The signature is written in a cursive style with a large, looping 'J' and 'F'.
Jeffrey A. Fantozzi

President

cc: Whitney Perez, Matt Wurst

