



GENERAL GOVERNMENT  
AND AGENCY REVIEW  
COMMITTEE

Witness Form

Today's Date 2-12-2020

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Organization Representing: Mechanical Contractors Association of Ohio

Testifying on Bill Number: SB 246

Testimony:  Verbal  Written  Both

Testifying As:  Proponent  Opponent  Interested Party

Are you a Registered Lobbyist?  Yes  No

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## **Testimony on Senate Bill 246**

### **Senate General Government and Agency Review Committee**

**February 12, 2020**

Chairman Schuring and members of the General Government and Agency Review Committee, thank you for allowing me to offer insight on the impact of Senate Bill 246 on the specialty construction trades. My name is Valerie Pope and I am the Executive Director of the Mechanical Contractors Association of Ohio (MCAO). MCAO is a coalition of plumbing, piping, HVAC, and specialty sheet metal contractors who, through their Local Associations from across the state, monitor and act on the legislative, judicial, and agency issues that are deemed important to the industry. We are an organization of small business owners. Our members typically employ five to fifty people in the field in addition to support staff in the office. Even our largest members typically don't employ more than 200 field personnel. Our members are the backbone of many local communities and an integral part of the economy performing work on all types of mechanical contracting jobs from service and renovation to new construction and specialty fabrication. We are the Ohio licensed specialty contractors impacted by this legislation and we are deeply concerned with this proposed legislation as currently drafted.

Ohio's specialty contractors are currently licensed by the Ohio Construction Industry Licensing Board. This exemplary, business-focused board is made up of equal numbers of union and non-union contractors from each licensed trade and staffed by experienced and responsive individuals from the Division of Industrial Compliance. Despite their best efforts, the OCILB, and their licensed contractors have struggled with achieving license reciprocity across the country. You see, twenty years ago when our license converted from just a certificate, existing certificate holders were allowed to grandfather into the license without taking a test. Other states have been leery to extend reciprocity because not all of our contractors had to take a test to get their current license. These states are unconcerned about the strenuous oversight that the OCILB provides, the continuing education that the OCILB requires, or the other provisions that keep commercial construction safe in Ohio. Since there are contractors out there who were not required to test, then there will be no reciprocity with many states, period.

It is from this context that I come to you today with my concerns about the lack of clarity in SB246. While we appreciate the goal of lowering barriers to entry for experienced workers moving to Ohio, MCAO believes that the legislature must also ensure that it does not unintentionally create a disadvantaged marketplace or undermine the safety of Ohio's commercial buildings.

One of the hallmarks of reciprocity in licensing is that it is a two-way street. Instead this proposal creates a one-way street that negatively impacts existing Ohio licensees and further undermines our ongoing efforts to achieve true reciprocity between the states. Combine this one-way reciprocity with no requirement that the out-of-state licensee applying for an Ohio license be a resident of Ohio and SB 246 creates a particularly unfair burden on Ohio licensees. Out-of-state individuals and businesses who receive an Ohio license will be able to compete for jobs in Ohio, but Ohio licensees may have no such opportunity in other states. While this proposal may help

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people actually moving to Ohio enter the workforce with more ease, it does so at the expense of the health and stability of the larger Ohio marketplace and those licensees already living here.

The links between commercial construction standards and public safety are clear and critical. Construction technology is changing more quickly than ever before. The systems are more sophisticated and so are the contractors that must design and install them. Now is the worst time to yield our careful, proven oversight of the qualifications for and requirements of licensed contractors to states on the other end of the spectrum that do not share our commitment to meaningful licensing.

The MCAO would therefore be open to exempting the construction industry from this bill in acknowledgement of these escalating safety concerns and the danger of exposing our Ohio small business community to an unfair advantage for out of state contractors.

Thank you for the opportunity to testify about my industry's experience with licensing and reciprocity. I'm happy to answer any questions you may have today.