



INTERESTED PARTY WRITTEN TESTIMONY ON H.B. 166
Senate Finance Committee - June 5, 2019

Submitted by:

Andrea Ashley, VP of Government Relations
Associated General Contractors (AGC) of Ohio

Chair Dolan, Vice Chair Burke, Ranking Minority Leader Sykes and Finance Committee Members:

Thank you for the opportunity to express our positions on proposals in House Bill 166 as passed by the Ohio House. AGC of Ohio represents commercial construction companies. Our members build and renovate vertical structures such as schools, manufacturing facilities, office buildings, apartments and dormitories, parking structures, utility and wastewater treatment plants, etc.

STRUCTURAL STEEL WELDING (R.C. 3781.40-44, 3781.02, 3781.06, 3781.061, 3781.10):

AGC of Ohio supports the Senate amending the language to clarify that the contractor performing the structural steel welding is responsible and removing the sections that would create a new bureaucracy under Industrial Compliance (see attached amendment 133HB166-SC3687). AGC of Ohio worked with the proponents of the structural steel welding proposal to develop the language contained in the amendment.

The House-passed version is problematic because:

- (1) It is vague as to who is responsible for assuring the structural steel welding is done properly; under the House-passed version, that responsibility could fall to a contractor that does not directly hire structural steel welders nor who has the qualifications or knowledge to ensure that structural steel welds are done properly.
- (2) It would create a bureaucracy that could slow down building inspections and construction projects.

The amendment addresses those concerns. It would essentially codify structural steel standards under Ohio Building Code that are required under a project's specifications, as well as add some recourse when those directly responsible for structural steel welds flagrantly disregard their responsibilities (i.e. falsify welding certifications).



MENTORSHIP PROGRAM (R.C. 4109.22 and 4109.00):

AGC of Ohio supports the current language of the mentorship program contained in H.B. 166 that limits it to manufacturing; we encourage the Senate to keep that language. The executive proposal included construction, and AGC of Ohio in conjunction with several other industry groups, opposed the inclusion of construction. A construction jobsite is vastly different than a manufacturing facility; and the proposal did not adequately address the industry's unique considerations related to the safety of the mentee (minor) and others on the jobsite, impact of insurance and bonding coverage for the contractor employing the minor and other employers on the jobsite, and potential liability for the project owner and other contractors.

DIVISION OF INDUSTRIAL COMPLIANCE: BUILDING CODE (R.C. 121.083 and 3781.10)

AGC of Ohio supports the language that authorizes the Superintendent of the Division of Industrial Compliance to administer and enforce the building code on behalf of political subdivisions or health districts, pursuant to contract. This will give local building departments an optional tool to help address any staffing issues and help ensure efficient plan review and timely building code inspections.

_____ moved to amend as follows:

- 1 In line 60 of the title, delete "3781.03,"
- 2 In line 156 of the title, delete "3781.41,"
- 3 In line 157 of the title, delete "3781.42, 3781.43,
- 4 3781.44,"
- 5 In line 291, delete "3781.03,"
- 6 In line 363, delete "3781.41, 3781.42, 3781.43, 3781.44,"
- 7 Delete lines 39991 through 40048
- 8 In line 40057, delete "to"
- 9 In line 40058, delete "3781.43"
- 10 In line 40063, delete "to 3781.43"
- 11 In line 40167, delete "to 3781.43"
- 12 In line 40248, reinsert "The"; delete "Except as provided
- 13 in division (E) (14) of this"
- 14 In line 40249, delete "section, the"
- 15 Delete lines 40385 and 40386
- 16 In line 40429, after "3781.40." insert "(A)"; delete
- 17 "sections 3781.40 to 3781.44 of the"
- 18 In line 40430, delete "Revised Code" and insert "this
- 19 section"
- 20 In line 40431, delete "(A)" and insert "(1)"

- 21 In line 40437, delete "(B)" and insert "(2)"
- 22 In line 40440, delete "(C)" and insert "(3)"
- 23 In line 40447, delete "Sec. 3781.41" and insert "(B)";
- 24 delete "project" and insert "construction"
- 25 In line 40448, delete "who is responsible for" and insert
- 26 "whose workers are welding"; delete "welding"
- 27 In line 40450, delete "(A) All welders" and insert "(1) The
- 28 workers"; after "performing" insert "the"; delete "for the"
- 29 In line 40451, delete "project"
- 30 In line 40452, after "that" insert "or individual who"
- 31 In line 40454, delete "(B)" and insert "(2)"; delete
- 32 "welding" and insert "welds"
- 33 In line 40455, delete "meets" and insert "meet"; after
- 34 "standards" insert "and are listed in the project's job
- 35 specifications"
- 36 In line 40456, delete "(C)" and insert "(3)"
- 37 Delete lines 40459 through 40514
- 38 In line 40515, delete "Sec. 3781.44." and insert "(C)"
- 39 Delete line 40516
- 40 In line 40517, delete "adopted thereunder" and insert "this
- 41 section"
- 42 In line 76042, delete "3781.03,"
- 43 The motion was _____ agreed to.

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SYNOPSIS45 **Structural steel welding standards**

46 R.C. 3781.40, 3781.06, 3781.061, and 3781.10 and R.C.
47 3781.03, 3781.41, 3781.42, 3781.43, and 3781.44 (removed)

48 Requires a construction manager, rather than a project
49 manager as under the House-passed version, to ensure compliance
50 with the bill's proposed structural steel welding standards.

51 Allows a welder who must be American Welding Society (AWS)
52 certified under the bill's proposed welding standards to be
53 certified by an AWS certified individual, in addition to an AWS
54 certified facility as under the House-passed version.

55 Eliminates a proposed requirement that the Superintendent
56 of Industrial Compliance certify municipal, township, and county
57 building departments or private third parties to inspect
58 construction projects to determine that the welding complies
59 with the bill's proposed welding standards.

60 Removes a proposed requirement that the Superintendent
61 adopt rules for the purpose of implementing and administering
62 the bill's proposed welding standards.