

REVENUE: No revenue impact

FISCAL: No fiscal impact

---

<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Deckert, George L., Monnes Anderson, Starr, Metsger
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Janet Adkins, Administrator
<b>Meeting Dates:</b>	3/15, 3/19

---

**WHAT THE MEASURE DOES:** Expands grounds for sanctions against building trades licensees by the Department of Consumer and Business Services or one of its licensing boards. Includes disciplinary actions by the Construction Contractors Board (CCB) for failure to pay a civil penalty to the board. Includes owners and principals in a reorganized business entity who have been subject to discipline in Oregon or another state regarding construction standards or licensing violations. Expands the list of prohibited actions by building trade licensees by clarifying that aiding or abetting an individual in the violation of building code laws is prohibited. Prohibits employing unlicensed boiler workers. Expands the building-code related statutes that can provide a basis for sanction by the CCB.

**ISSUES DISCUSSED:**

- Nature of agency and board suspension and reinstatement authority
- Trades licensees often also general contractor licensees
- Removal of emergency suspension authority

**EFFECT OF COMMITTEE AMENDMENT:** Deletes emergency suspension provisions. Allows the department or one of the Building Codes Division licensing boards to deny, suspend, revoke, condition or refuse to renew a license if: (1) CCB has taken an action against a contractor or the contractor has unpaid civil penalties; (2) another state has taken a final enforcement action against the individual or has assessed civil penalties that remain unpaid by the individual; or (3) the individual violates Oregon law related to state building codes as part of a construction project.

**BACKGROUND:** Senate Bill 192-A updates statutes of the Department of Consumer and Business Services (DCBS) related to building trade and contractor licensees. DCBS and certain boards within it, such as the Plumbing Board, Electrical and Elevator Board, and the Board of Boiler Rules, currently have authority to deny, suspend, condition, or revoke an authority to perform work or conduct business for failure to comply with statutes or administrative rules or for engaging in acts that the CCB, a separate agency, imposes a sanction for. This authority does not currently apply to wrongdoing in another state by an Oregon licensee, applicant for license, or principal in a business.

Senate Bill 192-A expands and clarifies the department's authority so that the license/registration actions may also be taken against licensees, applicants, or business owners or principals for similar disciplinary actions taken by other states in relation to their construction standards or licensing. The measure also specifies that licenses may be denied, suspended, or revoked if business owners, officers, or certain principals of a limited liability company, have been subject to a revocation or suspension or civil penalty related to construction in this or another state. The measure and amendments were developed through the Construction Industry Policy Advisory Committee, representing building contractors, building trades, local governments, and labor.

3/28/2007 8:30:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*