

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 0
Yeas:	Conger, Doherty, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler
Nays:	0
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	4/11, 5/4

WHAT THE MEASURE DOES: Exempts persons performing work for purposes of agricultural drainage, trenching irrigation, or fencing built to control livestock, and persons performing work on forestlands for which notice of operation has been filed, from obtaining a construction contractor license. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Examples of work activities that are proposed to be exempt due to the measure’s provisions
- Which statute(s) Construction Contractors Board can currently apply against persons performing commercial agricultural activities
- Measure’s intent to exempt activities pertaining to farming practices
- Examples of agricultural fencing

EFFECT OF COMMITTEE AMENDMENT: Limits the exemption for agricultural fencing to fences that are built to control livestock.

BACKGROUND: The Construction Contractors Board (CCB) is responsible for safeguarding the security and property of Oregonians by preventing and resolving construction contracting problems and ensuring contractors’ compliance with the law. ORS 701.010 allows the CCB to adopt rules that allow licensure optional to persons who “offer, bid or undertake work peripheral to construction...” A number of persons are explicitly exempt from licensure requirements under the same statute, such as individuals performing work on their personal property, persons performing work on a property as the owner’s employee, material suppliers, and those licensed by other regulatory boards or agencies such as architects, engineers, landscape contractors, appraisers, and water well contractors.

Senate Bill 704-B expands the list of exemptions to include persons who work in agricultural drainage, agricultural trenching, agricultural irrigation or agricultural fencing if the purpose of the fence is to control livestock. The measure also establishes an exemption for persons who perform logging and associated work on private forestlands.