

STAFF MEASURE SUMMARY

Senate Committee On Business and Transportation

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

**Action Date:** 04/15/15

**Action:** Do Pass With Amendments. (Printed A-Eng.)

**Meeting Dates:** 03/11, 04/15

**Vote:**

Yeas: 4 - Beyer, Girod, Riley, Thomsen

Exc: 1 - Monroe

**Prepared By:** James LaBar, Committee Administrator

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**WHAT THE MEASURE DOES:**

Enables the Oregon Landscape Contractors Board (OLCB) to assess contested case proceedings costs to person requesting claim against OLCB up to \$5,000 in claims hearing costs. Allows consumers to file claims with the OLCB if the business is licensed with OLCB and Construction Contractors Board (CCB). Permits OLCB licensed business to subcontract work related to landscaping jobs to general or specialty contractor licensed by CCB. Clarifies that maintenance work remains unregulated and that OLCB licensees have the right to repair what they are qualified to install. Clarifies that OLCB licensees may install artificial turf except for large sports fields. Allows OLCB-licensed businesses to plan irrigation systems without installing them. Moves the continuing education changes to rule making, other than the six hours per two years. Increases the insurance requirement from \$100,000 to \$500,000 and adds new \$20,000 bond requirement for landscaping jobs of \$50,000 or more and clarifies effective date of new bond limit for both existing licensed businesses and applicants. Changes time available for OLCB business licensees from 10 to 30 days to provide notice of address change. Allows landscaping work under \$2,000 to be performed without written contract and specifies that landscaping work performed without a written contract is covered by the OLCB-licensed business' bond. Revises ORS 671.520 (1)(c) in section 7 to read "Install, maintain or repair ornamental water features and landscape drainage systems;". Adds bond coverage for OLCB-licensed businesses that do tree work. Provides OLCB the discretion regarding whether to assess penalties for law violations and impose license sanctions.

**ISSUES DISCUSSED:**

- Landscaping profession and industry changes with increasing natural resource management focus
- Flexibility for continuing education credit requirements
- Ability to do repair work for emergency situations

**EFFECT OF COMMITTEE AMENDMENT:**

Replaces original measure.

**BACKGROUND:**

After the 2013 legislative session, the Senate Interim Committee on Business and Transportation convened a work group to explore issues with the Landscape Contractors Board and its statutes and administrative rules. Stakeholders involved in the work group were: Oregon Landscape Contractors Association, Southern Oregon Landscape Association, Oregon water purveyors, the League of Oregon Cities, Oregon Landscape Association, the Construction Contractors Board, several self-representing licensees, and the agency's staff and representatives.

After nearly two years of meetings, the group reached consensus on the slate of issues that are included in Senate Bill 580A.