

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 06/03/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 05/22, 06/03

Vote:

Yeas: 11 - Barreto, Barton, Doherty, Esquivel, Evans, Fagan, Heard, Holvey, Kennemer, Nosse, Weidner

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Allows consumers to file claims with the both the Landscape Contractors Board (LCB) and Construction Contractors Board (CCB) if landscape business is licensed by both boards. Permits LCB-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 LCB licensees have the right to repair what they are qualified to install. Clarifies that LCB licensees may install artificial turf except for large sports fields. Allows LCB-licensed professional to plan irrigation systems without installing them. Changes cap on continuing education requirements for landscape professional. Increases the insurance requirement from \$100,000 to \$500,000 and increases bond requirement for landscaping jobs of \$50,000 or more. Adds bond coverage for LCB-licensed businesses that do tree work. Extends to 30 days the time LCB business licensees have 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 LCB-licensed business' bond. Expands activities business may perform regarding ornamental water features, drainage and irrigation systems, fences, decks, arbors, patios, edgings, driveways, walkways and retaining walls. Provides LCB the discretion regarding whether to assess penalties for law violations and impose license sanctions. Allows LCB employee or administrator to issue stop work order on behalf of Board. Requires Spanish translation of examination.

ISSUES DISCUSSED:

- Consensus product of work group
- Concern with proposal to shift cost to party requesting contested case hearing or arbitration

EFFECT OF COMMITTEE AMENDMENT:

Deletes proposed provision allowing Board to assess requesting party the reasonable costs resulting from arbitration or contested case proceeding. Requires Spanish language translation of examination.

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 staff and representatives of the Landscape Contractors Board. After nearly two years of meetings, the group reached consensus on the slate of issues that are included in Senate Bill 580-B.