

Representative Holvey,

It was brought to my attention that HB 2498 “Adds to test to determine whether person is independent contractor requirement that person not perform services that are within usual course of business of person that hired purported independent contractor.” Not knowing what the catalyst was for HB 2498 I cannot speak to those concerns, but as a watershed management and restoration consultant who’s been practicing in Oregon for over 20 years, I can say that this bill will significantly impact my business and in turn, the fate of a number of my clients.

I provide services such as grant writing, project design and permitting, and project management to a number of non-profits (i.e. watershed councils), special districts (i.e. soil and water conservation districts), natural resource management companies (i.e. timber, gravel mining), and state and federal agencies. Many of the services I provide could be construed to be “within the usual course of business” of those entities to whom I contract, and therefore under HB 2498 I would be considered their employee. I provide these services for the very fact that my clients cannot afford to maintain an employee to do this work, and/or because the flexibility that I have as a private contractor affords me greater capacity to perform these services effectively and efficiently. The work I do for these clients generates, on average, \$500,000 - \$1,000,000 worth of economic activity in Curry County, which is an economically depressed area of the state. If I were not performing the services I do as a contractor that economic activity would cease to exist.

In my opinion the State of Oregon should be making it easier for the private sector to conduct business, and specifically to be able to provide services to the non-profit and public sectors. As I read the summary statement for HB 2498, the potential effect of this bill will be far reaching and severe, and I imagine there will be extensive unintended consequences that have a severe damping effect on Oregon’s economy.

With that said, I would ask that you seriously consider whether HB 2498 is wise and necessary legislation, and I would also ask that you provide me a summary statement that explains in detail the need and goal of this bill.

Sincerely,
Matt Swanson

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