

# Memorandum

PREPARED FOR: Senate Committee on Rules  
DATE: January 30, 2024  
BY: Leslie Porter, Analyst  
RE: Legislative Review of Executive Appointments



## CONSTRUCTION CONTRACTORS BOARD

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The Governor has appointed the following individual to the Construction Contractors Board, subject to Senate confirmation.<sup>1</sup>

### New Appointee

Nate Gerding of Corvallis

### Term

February 16, 2024 – June 30, 2027

### Appointment/Confirmation Authority

[ORS 701.205 \(2023\)](#)

### Statement of Economic Interest<sup>2</sup>

Not required.

### Composition<sup>3</sup>

The board consists of nine members:<sup>4</sup>

- three residential contractors who primarily work on residential or small commercial structures, including one contractor engaged in the business of remodeling (CARBAJAL, FLAGAN, OLSEN);
- two representatives of the public (LANDELS, VACANT);
- one elected representative of a governing body of local government (VANGORDON);
- two commercial general contractors who primarily work on large commercial structures (BOCHSLER, MARTINEZ); and
- one commercial specialty contractor who primarily works on large commercial structures or a residential limited contractor (**GERDING**).

Appointees serve four-year terms; one of the six contractor members may be a certified home inspector; contractor members must be licensed and in good standing during their term in office. The board selects from its members a chair, vice chair, and such other

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<sup>1</sup> [Or. Const. art. III sect. 4](#), [ORS 171.562 \(2023\)](#), [ORS 171.565 \(2023\)](#).

<sup>2</sup> [ORS 244.050 \(2023\)](#).

<sup>3</sup> [ORS 182.100 \(2023\)](#) for affirmative action policy; [ORS 236.115 \(2023\)](#) for diversity criteria.

<sup>4</sup> [ORS 701.205 \(2023\)](#).

officers, for terms and with duties and powers as the board considers necessary. A majority of the members constitutes a quorum.

## **Duties<sup>5</sup>**

The board regulates the construction industry by licensing contractors, enforcing requirements, and providing dispute resolution services. Its duties include:

- establishing qualifications, training, and continuing education requirements for licensees;
- receiving and processing complaints filed against licensees; conducting investigations and hearings; issuing injunctions; and taking regulatory actions with respect to a license including revocation, suspension, or refusing to issue or renew it;
- maintaining records of contractor and subcontractor public contracting qualifications;
- creating and maintaining a list of contractors and subcontractors who have been determined to be not qualified to hold or participate in a public contract for a public improvement;
- sharing information about license violations with Department of Revenue, Department of Consumer and Business Services (DCBS), and Employment Department at least once per month;
- setting and collecting fees;
- providing information about license status;
- investigating allegations of illegal activity in the construction industry and pursuing appropriate action, including administrative sanctions, civil penalties, or criminal prosecution;
- forwarding complaints regarding wage and hour violations to the Bureau of Labor and Industries;
- reporting civil penalties or sanctions imposed for violations related to lead-based paint activities to the Oregon Health Authority, DCBS, and the Department of Environmental Quality; and
- upon request, provide notification of the status of one or more licensees.

The board may also:<sup>6</sup>

- revoke, suspend, or refuse to issue or reissue a license under specified conditions;
- determine the validity of complaints filed against licensees;

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<sup>5</sup> [ORS 701.021 to 701.995 \(2023\)](#).

<sup>6</sup> [ORS 701.010 to 701.992 \(2023\)](#).



- assess civil penalties;
- create advisory committees;
- investigate the activities of any person engaged in the building and construction industry to determine compliance with applicable laws;
- with the approval of the city or county, conduct investigations with city or county inspectors;
- administer oaths, issue notices and subpoenas in the name of the board, compel the attendance of witnesses and the production of evidence, hold hearings, and perform such other acts as are reasonably necessary to carry out its duties;
- order work to be stopped if a contractor is working on a structure without proper licensure;
- adopt rules prescribing terms and conditions under which a contractor may substitute a letter of credit from a bank authorized to do business in this state instead of the bond requirements prescribed in statute;
- retain 20 percent annually from civil penalties to cover costs associated with collecting those civil penalties;
- enter into agreements with approved continuing education providers for the providers to offer education developed by the board, determine the number of continuing education hours to be credited for an approved course, and establish reasonable fees for the approval of entities as continuing education providers; and
- enter into interagency agreements with DCBS for the provision of duties regarding licenses, registrations, and other authorizations or regulated activities of a contractor.



## Construction Contractors Board

Agency: **None**

Authorization: **ORS 701.205 & .215**

Min Members: **9** Max Members: **9**

Term Length: **4** Term Limit: **2**

Senate Confirmation Required?: **Yes**

Policy Area: **Labor/Trades**

Board Admin: **Chris Huntington**

Address:

**201 High St. SE**

**Salem, OR 97301**

**503-934-2188**

**Chris.HUNTINGTON@ccb.oregon.gov**

## Current Appointments

<b>Olsen, Eric R</b> Residential/Small Commerical Contractor Position Number: <b>1</b>	Term(s): <b>7/1/2022 - 6/30/2026</b> <b>11/25/2019 - 6/30/2022</b>
<b>Mr Carbajal, Abel</b> Contractor, Residential/Small Commercial Remodeling Position Number: <b>2</b>	Term(s): <b>11/19/2021 - 6/30/2025</b>
<b>VanGordon, Sean</b> Local Government Official Position Number: <b>3</b>	Term(s): <b>10/5/2023 - 6/30/2027</b>
<b>Mr Bochsler, Dylan J</b> General Contractor Position Number: <b>5</b>	Term(s): <b>7/1/2020 - 6/30/2024</b> <b>12/19/2016 - 6/30/2020</b>
<b>Gerding, Nate</b> General Contractor; Large Commercial Structures Position Number: <b>6</b>	Term(s): <b>2/16/2024 - 6/30/2027</b>
<b>Landels, Brent</b> Public Member Position Number: <b>7</b>	Term(s): <b>10/5/2023 - 6/30/2027</b>
<b>Martinez, Rosa E</b> General Contractor Position Number: <b>8</b>	Term(s): <b>7/1/2023 - 6/30/2027</b> <b>11/25/2019 - 6/30/2023</b>
<b>Ms Flagan, Deborah "Deb" S</b> Contractor, Residential/Small Commercial Position Number: <b>9</b>	Term(s): <b>11/19/2021 - 6/30/2025</b>

## Vacant Positions

<b>Pos</b>	<b>Former Member</b>	<b>Appointed By</b>	<b>Term Begin</b>	<b>Term End</b>
4	Ms Noble, Andrea	Governor	7/1/2022	6/30/2026
4	Ms Noble, Andrea	Governor	7/1/2018	6/30/2022
4	Ms Noble, Andrea	Governor	9/25/2017	6/30/2018
4	Ms Lindsay, Mariana L	Governor	7/1/2014	6/30/2018
4	Mr Mangis, Jon A	Governor	5/1/2009	6/30/2012