

CONFERENCE COMMITTEE ON HB 2069

June 29, 2005 Hearing Room D

8:00 A.M. Tape 1

MEMBERS PRESENT: Rep. Alan Brown, Chair

Sen. Avel Gordly

Rep. Derrick Kitts

Sen. Rick Metsger

Sen. Frank Morse

Rep. Mike Schaufler

STAFF PRESENT: Janet Adkins, Committee Administrator

Katie Howard, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2069-B – Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
---------------	----------------	-----------------

TAPE 1, A

003	Chair Brown	Calls the meeting to order at 8:00 a.m. Opens a work session on HB 2069-B.
------------	--------------------	-----------------------------------------------------------------------------------

HB 2069-B – WORK SESSION

008	Janet Adkins	Committee Administrator. Explains HB 2069-B. Submits the –B10 amendments (EXHIBIT A).
046	Sen. Gordly	Asks if language regarding continuing education and professional standards is being removed from the bill.
050	Adkins	Answers that the provisions were removed in the Senate process.
053	Sen. Gordly	Asks for an explanation of the impact of removing the language.
058	Sen. Metsger	Explains that the provisions were added in the House version of the bill and removed by the Senate Committee on Business and Economic Development.
061	Mike Snyder	Landscape Contractors Board (LCB). Explains the aforementioned provisions that have been removed from the bill. Explains that the intent of the bill is to allow LCB to put an inactive status on contractors' licenses, allow a stepped increase in the landscaping bonding requirement and allow a landscaping company to be put in probation if they have more than three claims made against them in a 12-month period. Notes the language citing the difference between "landscape business" and "landscape contractor".
090	Snyder	Mentions the provisions that allow employees of landscaping businesses to do the work of landscape contractor when under the direct supervision of a licensed landscape contractor and allow general contractors to perform up to \$3000 worth of work on custom-built homes. Describes the language change from "decorative vegetation" to "nursery stock". Describes the language change from "backflow device" to "backflow assembly".
115	Chair Brown	Asks why the continuing education language was deleted.
119	Snyder	Responds that re-certification of landscape contractors was contingent on continuing education. Explains the objections to the continuing education provision raised in the Senate Committee on Business and Economic Development by a group of landscape contractors.
135	Bill Cross	Oregon Landscape Contractors Association (OLCA). Submits written testimony in support of SB 2069-B containing proposed amendments (EXHIBIT B). Explains the provisions regarding exemption from

licensure requirements while working under the supervision of a licensed landscape contractor. Describes the relationship of the bill to HB 2097 in the House Committee on Budget and HB 2582 allowing a landscaping business to operate out of a nursery on land designated as exclusive farm use. Points out that HB 2582 is in the Senate Committee on Rules and is asking that the bill be placed in SB 2069B with support in the House and the Senate.

- 175 Sen. Gordly Asks for an explanation of why LCB would not be required to establish a standard of professional conduct for landscape contractors and landscaping businesses.
- 180 Cross States that some of the landscape contractors were worried about the economic impact on small businesses of establishing a code of ethics and continuing education requirements.
- 207 Sen. Gordly Asks if landscape contractors have standards for professional conduct.
- 217 Cross States that the LCB does not have the authority to adopt standards of professional conduct. Explains the work of the OLCA and the LCB developing standards of conduct.
- 244 Sen. Morse Asks what the past practice has been to licensing employees and how the amendments would change it.
- 249 Cross Says that the Construction Contractors Board (CCB) and the LCB have never required landscape maintenance workers to be licensed. Notes that the Department of Justice said that the LCB needed statutes to require the licensing process.
- 270 Rep. Brown **MOTION: Moves HB 2069-B to the floor with the recommendation that the House CONCUR in Senate amendments dated 6/3/05 and that the bill be FURTHER AMENDED by adopting the –B10 amendments and the measure be REPASSED.**

VOTE: 6-0-0

AYE: In a roll call vote, all members present vote Aye.

Chair Brown

The motion CARRIES.

REP. KITTS AND SEN. BRUCE STARR will lead discussion on the floor.

EXHIBIT SUMMARY

- A. **HB 2069-B, -B10 amendments, staff, 36 pp**
- B. **HB 2069-B, proposed amendments, Bill Cross, 1 p**