

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form.

<u>Construction Contractors Board</u> (Agency and Division)		<u>OAR 812</u> (Administrative Rules Chapter Number)
<u>Catherine Dixon</u> (Rules Coordinator)	<u>700 Summer Street NE Suite 300, Salem OR 97310</u> (Address)	<u>378-4621 ext. 4077</u> (Telephone)

**RULE CAPTION**

Adoption of Continuing Education Rules for Construction Contractors with Residential Endorsements  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

<u>June 23, 2009</u> Hearing Date	<u>11:00 a.m.</u> Time	<u>West Salem Roth's IGA, Oregon Rm., 1130 Wallace Rd., Salem, OR</u> Location	<u>Tom Skaar</u> Hearings Officer
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*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

**ADOPT:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.  
812-020-0071  
Adopt administrative rules in Chapter 812, Division 21.

**AMEND:**

**REPEAL:**

**Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**Amend and Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 670.310, 701.,124, 701.126 & 701.235

Stat. Auth.: ORS

Oregon Laws 2007, chapter 648 (HB 2654)

Other Authority

ORS 701.063, 701.124, & 701.126

Stats. Implemented: ORS

**RULE SUMMARY**

**Note: The rulemaking hearing held on April 28, 2009, was held open and extended to June 23, 2009. Further public hearing on these rules will be held on June 23, 2009 at 11:00 a.m. The agency will accept written comments until 11:00 a.m. on June 23, 2009.**

Adopt 812-020-0071 to allow continuing education hours earned as a residential contractor to apply toward commercial continuing education credits.

Adopt administrative rules in Chapter 812, Division 21. Adoption of proposed rules is necessary to establish and administer the continuing education program under ORS 701.126, which applies to residential contractors. In 2007, the Oregon Legislature enacted ORS 701.126. Proposed rules needed include, but are not limited to:

- Defines terms in the rules adopted to administer ORS 701.126.
- Establishes the date on which the rules take effect and the date on which the rules will first be applied to renewing residential contractors.
- Outlines the requirements for residential contractors to comply with ORS 701.126, defining number of hours required CORE areas and elective hours.
- Outlines requirements for licensees to maintain records of CE participation.
- Establishes the requirements when license is inactive.
- Establishes the rules for continuing education requirements when there has been a lapse in the license.
- Establishes provider approval, standards, and fees for CORE training.
- Establishes course approval, standards and fees for CORE training.
- Establishes tracking of hours.

ORS 183.335(2)(b)(G) requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

June 23, 2009 @ 11:00 a.m.

**Last Day for Public Comment**

Last day to submit written comment to the Rules Coordinator

\_\_\_\_\_  
Signature

Catherine Dixon

Printed Name

\_\_\_\_\_  
May 6, 2009

Date

\*The *Oregon Bulletin* is published on the 1<sup>st</sup> of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem OR 97310 by 5:00 pm on the 15<sup>th</sup> day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday. ARC 920-2005

**NOTE:** In order to save postage and printing costs in these difficult times, CCB is only providing a copy of the notice. To view a copy of the notice, please go to our web site at [http://www.oregon.gov/CCB/Laws\\_Rules.shtml#Administrative\\_Rule\\_Notices](http://www.oregon.gov/CCB/Laws_Rules.shtml#Administrative_Rule_Notices). To obtain a copy of the draft proposed rule language contact Cathy Dixon at (503) 378-4621 ext. 4077 or email address: [Catherine.a.dixon@state.or.us](mailto:Catherine.a.dixon@state.or.us) for assistance in receiving a copy.

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Construction Contractors Board

Agency and Division

OAR 812

Administrative Rules Chapter Number

In the Matter of: Amendments to OAR 812

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Adoption of Continuing Education Rules for Construction Contractors with Residential Endorsements

Statutory Authority: ORS 670.310, 701.124, 701.126 & 701.235

Other Authority: Oregon Laws 2007, chapter 648 (HB 2654)

Stats. Implemented: ORS 701.063, 701.124 & 701.126

Need for the Rule(s): (Explain how the rule is intended to meet the need).

- Adopt 812-020-0071 to allow continuing education hours earned as a residential contractor to apply toward commercial continuing education credits.
- Adopt administrative rules in Chapter 812, Division 21. Adoption of proposed rules is necessary to establish and administer the continuing education program under ORS 701.126, which applies to residential contractors. In 2007, the Oregon Legislature enacted ORS 701.126. Proposed rules needed include, but are not limited to:
  - Defines terms in the rules adopted to administer ORS 701.126.
  - Establishes the date on which the rules take effect and the date on which the rules will first be applied to renewing residential contractors.
  - Outlines the requirements for residential contractors to comply with ORS 701.126, defining number of hours required CORE areas and elective hours.
  - Outlines requirements for licensees to maintain records of CE participation.
  - Establishes the requirements when license is inactive.
  - Establishes the rules for continuing education requirements when there has been a lapse in the license.
  - Establishes provider approval, standards, and fees for CORE training.
  - Establishes course approval, standards and fees for CORE training.
  - Establishes tracking of hours.

Documents Relied Upon, and where they are available: ORS 701 and OAR 812. Documents are on the agency website at [www.oregon.gov/ccb](http://www.oregon.gov/ccb) or a paper copy is available upon request.

Fiscal and Economic Impact, including a Statement of Cost of Compliance:

The rule changes have no known fiscal impact on state agencies, units of local government or the public.

No state agencies or local governments are likely to be affected by the proposed rule.

The rule changes have no known economic impact on state agencies, units of local government or the public.

The rule changes will not increase the cost of a new single-family dwelling.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): None
2. Cost of compliance effect on small business (ORS 183.336):
  - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:  
These rules will affect all residential or dual endorsed CCB licensees.

- b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: See estimates below.
- c. Equipment, supplies, labor and increased administration required for compliance: See estimates below.

CORE training is a combination of 3 hours of Building Exterior Shell Training (BEST); 2 hours of building codes or green or sustainable building practices; and 3 hours of laws and regulations. Training providers will be able to train on BEST, building codes, and green or sustainable building practices. CCB will provide the laws and regulations portion of the training required. There will also be elective courses offered by training providers.

Training Provider application fees:

- \$2,000 per application to perform BEST training
- \$500 per application to perform Codes training
- \$50 per course hour offered

Residentially Endorsed Contractors—the following are estimates of costs:

- Estimate First two-year period 8 hours of CORE and 8 hours of electives—total of 16 hours
- Second two year period 5 hours of CORE and 11 hours of electives—total of 16 hours.
- We estimate the cost per credit hour at \$75.
- \$75/hr x 16 hours = \$1,200 per two year license period.

How were small businesses involved in the development of this rule?

Six of the current nine Board members are business owners.

Small businesses were involved in developing the rule. One member of the three-member subcommittee that helped develop the rule is an owner of a small business. Small businesses are represented on the Board of the CCB, which ultimately adopts the rule. The Board also has a Continuing Education Committee (CES) that hold meetings, invites the public and develops the proposed rules regarding continuing education.

Administrative Rule Advisory Committee consulted? The Construction Contractors Board is made up of six contractors; one elected public official, and two public members. They serve as their own Administrative Rule Advisory Committee. The Board also has a Continuing Education Committee (CES) that hold meetings, invites the public and develops the proposed rules regarding continuing education.

If not, why?:

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Authorized Signer  
Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

Catherine Dixon  
Printed Name

May 6, 2009  
Date  
ARC 925-2007

## HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING  
A \*TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.  
(ORS 183.534)

FOR ADMINISTRATIVE RULES

**AGENCY NAME:** Construction Contractors Board  
**ADDRESS:** 700 Summer St. NE Ste 300  
**CITY/STATE:** Salem OR 97309  
**PHONE:** (503) 378-4621

**PERMANENT:**

**HEARING DATE:** June 23, 2009

**TEMPORARY:**

**EFFECTIVE DATE:**

### BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.  
IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

#### **Description of proposed change:** (Please attach any draft or permanent rule or ordinance)

Adopt 812-020-0071 to allow continuing education hours earned as a residential contractor to apply toward commercial continuing education credits.

Adopt administrative rules in Chapter 812, Division 21. Adoption of proposed rules is necessary to establish and administer the continuing education program under ORS 701.126, which applies to residential contractors. In 2007, the Oregon Legislature enacted ORS 701.126.

#### **Description of the need for, and objectives of the rule:**

Adopt 812-020-0071 to allow continuing education hours earned as a residential contractor to apply toward commercial continuing education credits.

Adopt administrative rules in Chapter 812, Division 21. Adoption of proposed rules is necessary to establish and administer the continuing education program under ORS 701.126, which applies to residential contractors. In 2007, the Oregon Legislature enacted ORS 701.126. Proposed rules needed include, but are not limited to:

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- Establishes course approval, standards and fees for CORE training.
- Establishes tracking of hours.

#### **List of rules adopted or amended:**

812-020-0071                      Division 21

#### **Materials and labor costs increase or savings:**

The rule amendments have no measurable impact the cost of a materials. Licensees may choose to send their employees to training which may increase their costs.

#### **Estimated administrative construction or other costs increase or savings:**

See impact estimates under other costs.

#### **Land costs increase or savings:**

The rule amendments have no measurable impact the cost of a new home or a building lot.

**Other costs increase or savings:**

CORE training is a combination of 3 hours of Building Exterior Shell Training (BEST); 2 hours of building codes or green or sustainable building practices; and 3 hours of laws and regulations. Training providers will be able to train on BEST, building codes, and green or sustainable building practices. CCB will provide the laws and regulations portion of the training required. There will also be elective courses offered by training providers.

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- We estimate the cost per credit hour at \$75.
- \$75/hr x 16 hours = \$1,200 per two year license period.

\*Typical-Single story 3 bedrooms, 1 ½ bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

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**PREPARERS NAME: Catherine Dixon**

**EMAIL ADDRESS: [catherine.a.dixon@state.or.us](mailto:catherine.a.dixon@state.or.us)**

**NOTE:** Staff are currently working on revisions to the draft proposed rules based on the April 28, 2009, rulemaking hearing, where public testimony was received regarding the proposed rules.

To obtain a copy of the draft proposed rule language contact Cathy Dixon at (503) 378-4621 ext. 4077 or email address: [catherine.a.dixon@state.or.us](mailto:catherine.a.dixon@state.or.us) for assistance in receiving a copy.