

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass the A-Engrossed Measure
Vote:	5 - 0 - 0
Yeas:	Deckert, George L., Monnes Anderson, Starr, Metsger
Nays:	0
Exc.:	0
Prepared By:	Janet Adkins, Administrator
Meeting Dates:	5/8

WHAT THE MEASURE DOES: Establishes that if a landscaping business license applicant does not have at least one owner or managing employee licensed as a landscape contractor, the owner or managing employee must show proof to the Landscape Contractors Board of completion of a course on the business of landscaping and passage of an exam. Requires the board to establish rules regarding required courses, a list of approved courses and examination providers, and requirements for an owner or managing employee to give notice of any change in the employment or duties of the owner or managing employee. Caps the maximum hours of instruction the board can require at 16 hours. Applies to applicants for initial landscaping business licenses issued on or after January 1, 2009. Requires a landscaping business that has no licensed landscape contractors as owners, and was initially licensed on or after January 1, 2008 and before January 1, 2009, to provide proof that the owner or managing employee has completed required courses and passed the relating examination. Sunsets provision regarding the license renewal process on January 2, 2012.

ISSUES DISCUSSED:

- Types of licenses and exposure of landscaping businesses that have not had appropriate training
- Application to landscape installers not landscape maintenance work

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Landscaping business owners are currently not required to demonstrate any knowledge regarding laws that govern landscape work in Oregon unless the owner(s) have completed and passed the individual landscape contractor license process. Landscape contractors have unique laws, such as ORS 671.625, which outlines minimum standards for contracts or billings. Businesses that cannot demonstrate competency risk running into consumer problems or legal trouble and expose their employees to the same.

House Bill 2074-A requires that if the owner is not a licensed landscape contractor, either the landscaping business owner (has ownership interest and manages or has shared management in the business) or a managing employee (is employed in landscaping work and manages or has shared management in the business) pass an exam based on approved coursework. The measure allows the courses and examinations to be administered by an outside source. It also directs the Landscape Contractors Board, when adopting rules to carry out the measure, to consider the availability of courses throughout Oregon and to use technology to make courses widely available to license applicants.