

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

---

<b>Action:</b>	Do Pass and Be Placed on the Consent Calendar
<b>Vote:</b>	7 - 0 - 0
<b>Yeas:</b>	Berger, Edwards C., Esquivel, Holvey, Rosenbaum, Smith P., Schaufler
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Theresa Van Winkle, Administrator
<b>Meeting Dates:</b>	1/17, 2/14

---

**WHAT THE MEASURE DOES:** Corrects terminology in landscape contracting statutes. Provides that a landscaping business owner who is a licensed landscape contractor need not employ a landscape contractor to oversee landscaping operations. Requires a nonrefundable payment of the landscape contractor license application fee. Eliminates requirement that the landscape contractor examination fee be nonrefundable. Establishes that the State Landscape Contractors Board administer exams every six months. Authorizes administrator of the State Landscape Contractors Board to appoint advisory and technical committees to assist the board.

**ISSUES DISCUSSED:**

- Distinctions in statute between “landscape contractors,” “landscape professionals,” and other job classifications within the landscaping industry

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** HB 2075 changes incorrect terminology in ORS 671.555, which deals with the investigation of a person engaged in a landscaping business. The term “landscape contractor” is incorrectly used in the statute since a “landscape contractor” is an individual who by definition (ORS 671.520) cannot contract for work. The correct term is “landscape business,” which is the entity that submits bids for contract work and/or offers services as a landscape contractor.

ORS 671.555 also states that a landscaping business must employ an individual landscape contractor before the landscaping business can be formed. However, many landscaping business entities do not have employees and are owned and operated by an individual landscape contractor. HB 2075 corrects this oversight by clarifying that a business owner can be the supervising licensed landscape contractor for the business.

HB 2075 also allows the State Landscape Contractors Board to establish continuing or temporary committees as deemed necessary to carry out the functions of the board. The measure establishes that committee members cannot receive compensation for their services. However, the board may choose to use available funds to pay per diem and “actual and necessary” travel and other expenses incurred to carry out official duties.